

KATE SNYDER (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK N. DION (5)

SPECIAL CITY COUNCIL MEETING - AUGUST 14, 2023 AT 4:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. Councilor Pious Ali, Mayor Pro Tempore, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

4:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting, July 17, 2023 (4:00)
Special City Council Meeting, July 17, 2023 (5:30)

APPOINTMENTS:

**Order 12-23/24 Appointing Members to Various Boards & Commissions -
Sponsored by Legislative/Nominating Committee, Mayor Kate Snyder, Chair**

If passed, this order would appoint the following individuals to various boards and commissions:

Name	Board or Committee	Expiration of Term
Ashley Keenan	Historic Preservation Board	11/30/2024
Robert Foster	Parks Commission (Land Bank Committee Representative)	6/30/2024
Jaime Parker	Parks Commission (Portland Trails Representative)	6/30/2025
Kristen Fulmer	Parks Commission	6/30/2024

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 13-23/24 Appointing Nick Demling Constable for the Parks, Recreation & Facilities Department - Sponsored by Anne McGuire, Assistant City Manager

This order appoints Park Ranger Nick Demling constable, in order to enforce ordinances in the Portland City Code.

This appointment is effective from 12:01 a.m. on January 1, 2023 until 12:00 midnight, December 31, 2023, and is made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

LICENSES:

Order 14-23/24 Granting Municipal Officers' Approval of Angoor Inc, dba Angoor Wine Bar. Application for Class A Lounge with Outdoor Dining on Private Property at 100 Fore Street - Sponsored by Anne McGuire, Assistant City Manager

Application was filed on 7/3/23. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 15-23/24 Granting Municipal Officers' Approval of Bissell Brothers Brewing Company, dba Bissell Brothers Brewing. Application for Class I FSE with Outdoor Dining on Private Property at 38 Resurgam Place - Sponsored by Anne McGuire, Assistant City Manager

Application was filed on 7/6/23. New City and State applications. Expansion and license class change of existing establishment. Establishment currently holds a Class III & IV at current location.

Five affirmative votes are required for passage after public comment.

Order 16-23/24 Granting Municipal Officers' Approval of 123CZ LLC, dba Porttown Public House. Application for Class I FSE at 129 Commercial Street - Sponsored by Anne McGuire, Assistant City Manager

Application was filed on 7/18/23. New City and State applications. Location was previously Jake's Tavern.

Five affirmative votes are required for passage after public comment.

Order 17-23/24 Granting Municipal Officers' Approval of Good Wind LLC, dba Little Tap House. Application for Class I FSE with Outdoor Dining on Public Property at 106 High Street - Sponsored by Anne McGuire, Assistant City Manager

Application was filed on 7/21/23. New City and State applications. Change of ownership and license class of existing establishment.

Five affirmative votes are required for passage after public comment.

Order 18-23/24 Granting Municipal Officers' Approval of Maine Irish Heritage Center, dba Maine Irish Heritage Center. Application for Class III & IV with Indoor Entertainment at 34 Gray Street - Sponsored by Anne McGuire, Assistant City Manager

Application was filed on 7/21/23. New City and State applications.

If passed, this order would also waive fees associated with these applications (currently totalling \$1,406.00, collected annually). According to Sec. 15-12.1 of City Code, "The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines that the purpose of the licensed activity or the

funds to be raised by the activity are of direct benefit to the citizens of the city." At the request of the applicant, staff have included a fee waiver as part of the order for the Council's consideration.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Com 5-23/24 The 2023 Fossil Fuel Infrastructure Report - Troy Moon, Sustainability Director

Chapter 14 requires the Sustainability Director to annually publish and present a report detailing the City's use of and reliance on fossil fuels, including:

- A survey of all new buildings built in Portland without fossil fuel-based infrastructure;
- A survey of green building technologies that have been implemented as alternatives to fossil fuels;
- An assessment of the benefits of adopting this policy;
- A survey of relevant legislation enacted at the state and local level;
- A proposal for further changes to City Code to reduce the use of fossil fuels.

As a communication this item requires no public comment or formal Council action.

Com 6-23/24 The 2022 Housing Report - Mary Davis, Interim Director, Housing and Economic Development

The 2022 Housing Report has been prepared at the request of the City Council's Housing & Economic Development Committee. The report is designed to provide an overview of housing development activity, funding sources, and projects benefiting from funding subsidies in the 2022 calendar year. Part I includes a snapshot of existing housing, housing development, housing development trends, and supportive land use policies. Part II reviews the federal, state and local subsidy sources that support housing development. This section also highlights the subsidized housing projects that are currently under construction as well as a discussion regarding the on-going monitoring process.

As a communication this item requires no public comment or formal Council action.

Com 7-23/24 Update on Encampment Crisis Response Team - Director Kristen Dow (Health & Human Services) and Chief Keith Gautreau (Fire Department)

As a communication this item requires no public comment or formal Council action.

Com 8-23/24 Update on the Closure of the Temporary Emergency Shelter at the Expo - Kristen Dow, Director of Health & Human Services

As a communication this item requires no public comment or formal Council action.

RESOLUTIONS:

Resolve 1-23/24 in Support of the Fossil Fuel Non-Proliferation Treaty - Sponsored by the Sustainability & Transportation Committee, Councilor Andrew Zarro, Chair

On May 10, 2023, the Sustainability & Transportation Committee voted 3 - 0 to forward this resolution to the full City Council for approval.

Adoption of the resolution would express the City's support for the Fossil Fuel Non-Proliferation Treaty, which seeks to end the expansion of fossil fuel infrastructure and rapidly deploy clean energy in order to mitigate the impacts of climate change. This international effort is led by the island nations of Vanatu and Tuvalu, which are vulnerable to inundation by the ocean as sea levels rise. The treaty seeks to phase out existing fossil fuel production in line with the global commitment to limit warming to 1.5°C and emphasizes the need for wealthier countries who have contributed the most to climate change to lead the energy transition and for them to support other nations as they transition to renewable energy. The resolution also reaffirms the City's commitment to the goals established in the Paris Climate Agreement as stated in One Climate Future and expressed in Council resolutions including Resolve 8-19/20, Resolution Supporting the Youth Strikes for Emergency Climate Crisis Action in Maine.

Five affirmative votes are required for passage after public comment.

ADJOURNMENT:

ZOOM INFORMATION:

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PLEDGE OF ALLEGIANCE:

Mayor Snyder led all present in the Pledge of Allegiance.

ROLL CALL:

Mayor Snyder called the meeting to order at 6:20pm.

City Councilors Present: Councilor Fournier, Councilor Rodriguez, Councilor Dioin, Councilor Ali, Councilor Zarro, Councilor Trevorow, Councilor Pelletier, Councilor Phillips, Mayor Snyder.

5:30 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Motion to suspend the council rules of procedure to not have public comment at the second meeting of the evening. Moved by Mayor Snyder, seconded by Councilor Ali for passage. Passed 9-0

*Public comment was taken at the first meeting held at 4:00pm. Public comment was for both agendas for July 17, 2023.

BUDGET ITEMS:

Order 209-22/23 Approving Fiscal Year 2024 Administrative Fees for City Parking Garages and the Parks, Recreation, and Facilities Department - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Fournier and seconded by Councilor Ali for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 210-22/23 Authorizing the City Manager To Enter into Certain Agreements To Implement the Fiscal Year 2024 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Rodriguez for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 211-22/23 Approving the Fiscal Year 2024 Self-insured Liability Program - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Councilor Zarro for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 212-22/23 Authorizing the Director of Parks, Recreation and Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Fournier and seconded by Councilor Rodriguez for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 213-22/23 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2024 Health & Human Services Budget - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Councilor Zarro for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 214-22/23 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by Danielle P. West, Interim City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Fournier for passage as

an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 215-22/23 Authorizing the Director of Parks, Recreation and Facilities to Accept Donations up to \$10,000 for Parks, Recreation & Facilities Department Programs and City Funds - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Rodriguez for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 216-22/23 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Councilor Dion for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 217-22/23 Authorizing Non-Union Wage Adjustment - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Ali for passage as an emergency. Passage 9-0 as amended.

Motion was made by Mayor Snyder and seconded by Councilor Dion to add 10% raise to

the City Clerk's salary. Passage 9-0.

*Order was passed as an emergency and will take effect immediately as amended.

Order 218-22/23 Designating Fiscal Year 2024 Funds for Specific Island Services - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Fournier for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 219-22/23 Appropriating \$3,611,343 in Fund Balance - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Fournier and seconded by Councilor Trevorrow for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 220-23/24 Appropriating \$276,000 From Excess Fund for Casco Bay Island Transit District - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Fournier and seconded by Councilor Dion for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 221-22/23 Amendment to Portland City Code Chapters 24 and 28 Re: Various Fee Increases for Fiscal Year 2024 - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Rodriguez and seconded by Councilor Ali for passage as an emergency. Passage 9-0

*Order was passed as an emergency and will take effect immediately.

Order 222-22/23 Fiscal Year 2023-2024 Appropriation Resolve - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Trevorow for passage as an emergency. Passage 9-0 as amended.

Motion was made by Councilor Dion and seconded by Councilor Ali to approve Amendments 1-3 RE: Finance Committee Recommended Budget (In Council Packet) Amendment passed 9-0

Motin was made by Councilor Trevorow and seconded by Councilor Rodriguez to approve Amendment 4 RE: Adding \$175,00 in additional Funding for The Clean Elections Program to the City Clerks Budget (In Council Packet)

Mayor Snyder opened the floor for council comment. The following individuals spoke: Councilor Zarro , Michael Goldman (Corporation Counsel), Councilor Dion, Councilor Trevorow, Mayor Snyder

Amendment passed 8-1 (Dion no)

Motion was made by Councilor Phillips and seconded by Councilor Fournier to approve Amendment 5 RE: Adding \$53,581 in additional funding for a Senior Outreach Nurse to the Barron Center Office of Elder Affairs (In Council Packet)

Mayor Snyder opened the floor for council comment. The following individuals spoke: Councilor Phillips Brendan O'connell (Finance Director), Councilor Ali, Councilor Rodriguez

Amendment passed 9-0

Motion was made by Councilor Rodriguez and seconded by Mayor Snyder to approve Amendment 6 RE: Adding \$175,000 in additional funding for the reorganization of the Executive Department (In Council Packet)

Mayor Snyder opened the floor for council comment. The following individuals spoke: Councilor Phillips

Amendment passed 8-1 (Phillips No)

Order 222 Passed as amended 9-0

*Order was passed as an emergency and will take effect immediately as amended.

UNFINISHED BUSINESS:

Order 224-22/23 Authorizing Amendment to Downtown Transit Oriented Development and Omnibus Tax Increment Financing District to Increase Funding for Creative Portland - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Councilor Fournier for passage as an emergency. Passage 9-0

Mayor Snyder opened the floor for Council comment. The following individuals spoke: Councilor Fournier, Brendan O'Connell (Finance Director), Danielle West (City Administrator)

*Order was passed as an emergency and will take effect immediately.

Order 245-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Police Benevolent Association - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Dion and seconded by Councilor Ali for passage as an emergency. Passage 6-3 (Fournier, Pellitier, Phillips-No)

Mayor Snyder opened the floor for Council comment. The following individuals spoke: Councilor Phillips, Councilor Dion, Councilor Fournier, Councilor Pellitier, Councilor Rodriguez, Mayor Snyder, Councilor Trevorrow

*Order was passed, but not as an emergency. Order will take effect in 10 days.

Order 246-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Portland Police Superior Officers Association - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Mayor Snyder for passage as an emergency. Passage 6-3 (Fournier, Pellitier, Phillips-No)

Mayor Snyder opened the floor for Council comment.No one spoke.

*Order was passed, but not as an emergency. Order will take effect in 10 days.

Order 253-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the City Employees' Benefit Association, American Federation of State, County and Municipal Employees, Local 1373 - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Mayor Snyder for passage as an emergency. Passage 9-0

Mayor Snyder opened the floor for Council comment.No one spoke.

*Order was passed as an emergency and will take effect immediately.

Order 254-22/23 Approving the Amended Wage Scale to the Collective Bargaining Agreement with the Professional and Technical City Employees Association - Sponsored by Danielle P. West, City Manager

*Budget Orders 209-222, Orders 224, 245,246, 253, and 254 were all read into the record together.

Mark Dion (Finance Committee Chair gave an overview of all budget items.

Mayor Snyder opened the floor for public comment on all budget items. The following individuals spoke:

Steven Scharff (Brackett Street), Sara Michniewicz (No address), George Rheault (West Bayside), Kate Sykes (District 5), Dave Aceto, (District 2)

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage as an emergency. Passage 9-0

Mayor Snyder opened the floor for Council comment. No one spoke.

*Order was passed as an emergency and will take effect immediately.

Order 256-22/23 Adopting Development Program for the Portland Tourism Municipal Development District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

Danielle West (City Administrator) and Mary Davis (Interim Housing and Economic Development Director) gave an update on Order 256-258 and staff is requesting items be postponed until September 6, 2023

Motion was made by Councilor Ali and seconded by Councilor Zarro to postpone until September 6, 2023. Passage 9-0.

Mayor Snyder opened the floor for public comment. No one spoke.

Order postponed.

Order 257-22/23 Establishing Implementation Assessments for Portland's Tourism Municipal Development District for Fiscal Year 2023-2024 - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

Danielle West (City Administrator) and Mary Davis (Interim Housing and Economic Development Director) gave an update on Order 256-258 and staff is requesting items be postponed until September 6, 2023

Motion was made by Councilor Ali and seconded by Councilor Zarro to postpone until September 6, 2023. Passage 9-0.

Mayor Snyder opened the floor for public comment. No one spoke.

Order postponed.

Order 258-22/23 Approving the Development Program Manager Agreement between the City of Portland and Convention and Visitors' Bureau of Greater Portland Doing Business as Visit Portland - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

Danielle West (City Administrator) and Mary Davis (Interim Housing and Economic Development Director) gave an update on Order 256-258 and staff is requesting items be postponed until September 6, 2023

Motion was made by Councilor Ali and seconded by Mayor Snyder to postpone until September 6, 2023. Passage 9-0.

Mayor Snyder opened the floor for public comment. No one spoke.

Order postponed.

Order 259-22/23 Proposing an Amendment to Portland City Code Chapter 6 Re: Administrative Changes to Rent Board and Rent Control Ordinance - Sponsored by Danielle P. West, City Manager

Danielle West (City Administrator) gave an update on Order 259. Staff recommends item be postponed indefinitely.

Motion was made by Councilor Phillips and seconded by Councilor Zarro to postpone indefinitely. Passage 9-0.

Mayor Snyder opened the floor for public comment. No one spoke.

Order postponed indefinitely.

Order 260-22/23 Amendment to the Portland City Charter Re: Gender-Neutral Language - Sponsored by Kate Snyder, Mayor

Danielle West (City Administrator) gave an overview of this item.

Motion was made by Councilor Zarro and seconded by Councilor Fournier for passage. Passage 9-0 as amended.

Motion to amend order to add effective date 30 days after passage by voters. Moved by Mayor Snyder and seconded by Councilor Rodriguez for passage. Passage 9-0.

Mayor Snyder opened the floor for public comment. No one spoke.

Order 261-22/23 Proposing an Amendment to Portland City Code Chapter 9 Re: the Citizen Initiative Process - Sponsored by Kate Snyder, Mayor

Danielle West (City Administrator) and Michael Goldman (Corporation Counsel) gave an overview on this item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Steven Scharff (Brackett Street), Jim Hall (District 1), Shasha (Main Street), Kaitlyn Husar (District 2), Emmund Dumand (Portland Chamber), Peter McLaughlin (Peaks Island), Daren Fishell (Salem Street), Wes Pellitier (DSA), Greg G (No address), Noah (Peaks Island), Damien (Bolton Street), Councilor Ali, Danielle West (City Administrator), Mayor Snyder, Councilor Zarro, Councilor Fournier, Councilor Rodriguez, Councilor Phillips.

Motion was made by Councilor Phillips and seconded by Councilor Zarro to postpone indefinitely. Passage 9-0.

Motion was made by Councilor Phillips and seconded by Councilor Dion to postpone indefinitely. Passed 6-3 (Mayor Snyder, Councilor Rodriguez, Councilor Ali-No) Order postponed indefinitely.

ORDERS:

Order 5-23/24 Setting a Public Hearing on Citizen Initiative: An Act to Exempt Small Landlords from the Portland's Rent-Control Ordinance - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Ali and seconded by Councilor Fournier for passage. Passage 9-0

Mayor Snyder opened the floor for public comment. No one spoke.

Order 6-23/24 Designating the 25 Casco Street Affordable Housing Development and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The item is a first read item. No Council action taken.

Order 7-23/24 Approving the Credit Enhancement Agreement with Equality Community LP - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The item is a first read item. No Council action taken.

Order 8-23/24 Accepting and Appropriating a \$20,000 Donation and \$30,000 Grant for the Lincoln Park Fence Project - Sponsored by Danielle P. West, City Manager

The item is a first read item. No Council action taken.

AMENDMENTS:

Order 9-23/24 Amendment to the Traffic Schedule Re: 2-Hour Parking on Fore Street between Atlantic and St. Lawrence Streets - Sponsored by Sustainability & Transportation Committee, Andrew Zarro, Chair

The item is a first read item. No Council action taken.

Order 10-23/24 Amendment to Zoning Map Amendment Re: R-5a Residential for 900 Ocean Avenue and Adjacent Parcels - Sponsored by the Planning Board, Brandon Mazer, Chair

The item is a first read item. No Council action taken.

Order 11-23/24 Amendment to Portland City Charter Re: Filing Nomination Petitions, and Acceptance of Nomination - Sponsored by Ashley Rand, City Clerk

The item is a first read item. No Council action taken.

ADJOURNMENT:

Motion was made by Councilor Fournier and seconded by Councilor Rodriguez to adjourn. Passage 9-0 at 10:26pm.

A TRUE RECORD

Ashley Rand, City Clerk

ZOOM INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/88056480256?pwd=UElKRHo4czNjditaTC9zTG9zZk1QUT09>

Passcode: 833717

Or One tap mobile :

+13092053325,,88056480256#,,, *833717# US

+13126266799,,88056480256#,,, *833717# US (Chicago)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Webinar ID: 880 5648 0256

Passcode: 833717

International numbers available: <https://portlandmaine-gov.zoom.us/j/kvfsNk6gL>

PLEDGE OF ALLEGIANCE:

Mayor Snyder led all present in the Pledge of Allegiance.

ROLL CALL:

Mayor Snyder called the meeting to order at 4:00pm.

City Councilors Present: Councilor Fournier, Councilor Rodriguez, Councilor Dioin, Councilor Zarro, Councilor Trevorrow, Councilor Pelletier, Councilor Phillips, Mayor Snyder.

Councilors Absent: Councilor Ali

*Councilor Ali joined meeting at 5:11pm.

4:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Mayor Snyder opened the floor for public comment. The following individuals spoke:

Shawn Moody (Moody's Collision Center), Niagar Zavir (District 4), Sam Eakin (Cherished Processions), Ron Morris (178 Ridge Road), Steven Scharff (Brackett Street), Richard Ward (Parkside Neighborhood), George Rheault (Hanover Street), Jim Hall (District 1), Ken Capron (Forest Ave)

*Public Comment taken at 5:30pm

ANNOUNCEMENTS:

No announcements

RECOGNITIONS:

Recognizing Kathy Alves for her service to the City of Portland - Kate Snyder, Mayor

Mayor Snyder recognized Kathy Alves for her service to the City of Portland.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Special City Council Meeting Minutes- June 26, 2023

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for approval of the City Council Meeting minutes, June 26, 2023. Passage 8-0 (Councilor Ali Absent)

APPOINTMENTS:

Order 1-23/24 Appointing Michael Murray as Director of Public Works - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for passage as an emergency. Passage 8-0 (Ali Absent)

Mayor Snyder opened the floor for public comment. The following individuals spoke: George Rheault (West Bayside)

*Order was passed as an emergency and will take effect immediately.

Order 2-23/24 Appointing Members to Various Boards & Commissions - Sponsored by Legislative/Nominating Committee, Mayor Kate Snyder, Chair

Motion was made by Mayor Snyder and seconded by Councilor Fournier for passage as an emergency. Passage 8-0 (Ali Absent)

Mayor Snyder opened the floor for public comment. No one spoke.

*Order was passed as an emergency and will take effect immediately.

CONSENT ITEMS:

Order 3-23/24 Approving Transfer of Funds under 15 M.R.S. §§5824(3) and 5826(6) Re: Raymond Whittington - Sponsored by Danielle P. West, City Manager

* Point of Order Consent Items Order 3-23/24 and Order 4-23/24 were read and approved together.

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for passage. Passage 8-0 (Ali Absent)

Mayor Snyder opened the floor for public comment. The following individuals spoke: George Rheault (West Bayside), Michael (Festival of Nations), Councilor Dion

Order 4-23/24 Declaring July 29, 2023 the 21st Annual Greater Portland Festival of Nations - Sponsored by Danielle P. West, City Manager

* Point of Order Consent Items Oder 3-23/24 and Order 4-23/24 were read and approved together.

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for passage.. Passage 8-0 (Ali Absent)

Mayor Snyder opened the floor for public comment.The following individuals spoke: George Rheault (West Bayside), Michael (Festival of Nations), Councilor Dion

COMMUNICATIONS:

Com 1-23/24 Update on the Status of City of Portland Property Assessments - Elisa Marr, Tax Assessor

Elisa Marr (Tax Assessor) gave a communication update on the State of City of Portland Property Assessments.

As a communication this item requires no public comment or formal council action.

Com 2-23/24 Update regarding the 4/1/23 Rally and Portland Police Department Response - Danielle P. West, City Manager

Elisa Marr (Tax Assessor) gave a communication update on the State of City of Portland Property Assessments.

As a communication, this item requires no public comment or formal council action.

Com 3-23/24 Update on Encampment Crisis Response Team - Director Kristen Dow (Health & Human Services) and Chief Keith Gautreau (Fire Department)

Danielle West (City Administrator), Kristen Dow (Director of Health & Human Services) and Keith Gautreau (Fire Chief) gave a communication update on Encampment Crisis Response Team.

As a communication, this item requires no public comment or formal council action.

Com 4-23/24 Regarding the Closure of City Hall on August 11 - Danielle P. West, City Manager

Danielle West (City Administrator) gave a communication Regarding the Closure of City Hall on August 11th.

As a communication, this item requires no public comment or formal council action.

ADJOURNMENT:

Motion was made by Councilor Fournier and seconded by Councilor Rodriguez to adjourn. Passage 9-0 at 6:00pm.

A TRUE RECORD

Ashley Rand, City Clerk

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

ORDER APPOINTING MEMBERS TO VARIOUS BOARDS & COMMITTEES

ORDERED, that the following people are hereby appointed to the Boards and Committees indicated for the stated term:

Name	Board and Committee	Expiration
Robert Foster	Parks Commission (Land Bank Committee Representative)	6/30/2024
Jaime Parker	Parks Commission (Portland Trails Representative)	6/30/2025
Kristen Fulmer	Parks Commission	6/30/2024
Ashley Keenan	Historic Preservation Board	11/30/2024

BE IT FURTHER ORDERED, that these appointments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to allow the appointees to begin work immediately.

Office of the City Clerk
Ashley M. Rand, *City Clerk*
August 4, 2023



MEMORANDUM

TO: Mayor Kate Snyder, and Members of City Council
FROM: Ashley Rand, City Clerk
DATE: August 4, 2023
RE: Appointments to Various Boards & Commissions

The Nominating Committee is making the following recommendations to the Various Boards and Committees.

Name	Board and Committee	Expiration
Ashley Keenan	Historic Preservation	11/30/2024
Robert Foster	Parks Commission (Land Bank Committee Representative)	6/30/2024
Jaime Parker	Parks Commission (Representative from Portland Trail)	6/30/2025
Kristen Fulmer	Parks Commission	6/30/2024



Dena Libner <dlibner@portlandmaine.gov>

Order number 12-23/24.

1 message

S. Nick Zaccaro <snzaccaro@gmail.com>
 To: publiccomment@portlandmaine.gov

Sun, Aug 13, 2023 at 12:00 PM

Dear Members of the Portland City Council,

I am writing to oppose the nomination of Ashley Keenan to the Historic Preservation Board.

New resident Ashley Keenan, the author of the blog thetownsmen.org, has consistently demonstrated a narrow focus on new development, upzoning, and density, often at the expense of our seniors. While these aspects have their place in urban planning discussions, it is imperative that the members appointed to the Historic Preservation Board align with its core mission and exhibit a genuine commitment to preserving our city's rich historical heritage while also respecting our elders who have made the city what it is today.

Ashley's direct quotes, which I would like to share with you, reveal a concerning disregard for historic preservation and our seniors. Here are some excerpts from her blog:

"It also doesn't even take into account areas technically zoned for denser development but that are **hamstrung by historical preservation** measures and other overlays. And it obviously doesn't include the actual suburbs, South Portland, Falmouth, etc..."
<https://thetownsmen.org/the-other-budget/>

"But while we might all want to help grandpa, Maine is already hemorrhaging the young. (Under-18s make up only 18.4% of the population, less than the over-65s.) This is a problem. Young people are the ones who create wealth, vitalize commerce, and modernize economies, (not to mention simply work and pay taxes.)... So instead of trying to staunch this mortal wound and capitalize on the influx of people and capital, **we're instead choosing to further coddle that geriatric class which Maine has already treated too well?**"
<https://thetownsmen.org/maines-boomer-bailout/>

These quotes vividly illustrate Ashley's clear stance on historic preservation, which appears incompatible with the mission of the Historic Preservation Board. As a concerned resident who values the preservation of our city's unique character and the well-being of our senior population, I oppose this nomination and advocate for a board that genuinely upholds the values of historic preservation while considering the needs of all residents.

Sincerely,

Stephen N. Zaccaro
 64 Whitney Ave FL 3
 Portland, ME 04102

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPOINTING NICK DEMLING CONSTABLE FOR
THE PARKS, RECREATION & FACILITIES DEPARTMENT**

ORDERED, that Park Ranger Nick Demling is hereby appointed constable for the 2023 calendar year; and

BE IT FURTHER ORDERED, that this appointment shall be effective from the effective date of this order until 12:00 midnight, December 31, 2023; and

BE IT FURTHER ORDERED, that this appointment is pursuant to Sections 20-19 and 20-19.5, Portland City Code, and this constable is not allowed to carry a firearm, concealed or unconcealed, in the performance of duties, or to make arrests or issue parking tickets; and

BE IT FURTHER ORDERED, that these appointments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter, in order to allow the appointees to begin work immediately.

MEMORANDUM
City Council Agenda Item

FROM:

DATE: July 31, 2023

SUBJECT: Order 14-23/24 Granting Municipal Officers' Approval of Angoor Inc, dba Angoor Wine Bar. Application for Class A Lounge with Outdoor Dining on Private Property at 100 Fore Street - Sponsored by Anne McGuire, Assistant City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 7/3/23. New City and State applications.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.08.14_Angoor Wine Bar
2. Angoor Wine Bar_Council Packet

Prepared by:

Date: 07/31/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

**Angoor Inc, dba Angoor Wine Bar. Application for Class A Lounge with Outdoor Dining
on Private Property at 100 Fore Street**

June 3, 2023

To the Mayor and Members of the City Counsel

We are requesting a new liquor license for our establishment, Angoor Inc. We will be opening our wine bar in Portland, Maine. A liquor license is crucial to our success. All the necessary steps have been taken to meet the requirements for a liquor license.

We are committed to operating our business by being in compliance with all the regulations set by the state of Maine and local authorities. We completely understand the importance of responsible and safe alcohol service and we will ensure that all our staff are well trained in responsible service practices.

Thank you for your time and consideration of our application. We are attaching all the required documents. Please feel free to contact us if you have any questions.

Sincerely,

Sangeeta Nasiff

Rafael Dones



CITY OF PORTLAND
Permitting and Inspections Department
Application for Food Service Establishment with Alcoholic Beverages License

Business Information	
Establishment Name (d/b/a):	ANGOUR WINE BAR
Location Address: (100)	124 FORE STREET PORTLAND ME 04101
If new, what was formerly at this location:	100 FORE STREET PORTLAND ME 04101
Mailing Address:	96 ESSEX CIR #22 RAYNHAM MA 02767
Contact Person:	RAFAEL DONES
Contact Person Email:	RS@ANGOUR-WINEBAR.COM
Manager of Establishment:	SANGEETA NASIR
Owner of Premises (Landlord):	100 FORE STREET, LLC
Address of Premises Owner (Landlord):	P.O. Box 66749 FALMOUTH ME 04105

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate Name	Corporate Mailing Address
ANGOUR INC	96 ESSEX CIR #22 RAYNHAM MA 02767

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Contact Person:	RAFAEL DONES		Phone:	617-719-7759
Principal Officers	Title	Date of Birth	Residence Address	
RAFAEL DONES	PRES.	1-9-1977	96 ESSEX CIR #22 RAYNHAM MA 02767	
SANGEETA NASIR	VP.	1-12-1974	96 ESSEX CIR #22 RAYNHAM MA 02767	

Class of Liquor License: **X**



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	<u>TAPAS</u>	
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> <u>Liquor</u>	
Projected percentage of sales:	Generated from Food: <u>15%</u>	Generated from Alcohol: <u>85%</u>
Hours & days of operation:	<u>12:PM - 11:PM WEDNESDAY THROUGH Sunday</u>	
QUESTIONS		Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?		Y ☒ N
If No, please explain:		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?		Y ☒ N
If yes, give the distance: <u>400 Feet</u>		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)		Y ☒ N
Will you permit dancing after 1:00 a.m.?		Y ☒ N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)		Y ☒ N
If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?		Y ☒ N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____		
What is your targeted opening date? <u>OCTOBER 12</u>		
Does the Issuance of this license directly or indirectly benefit any City employee(s)?		Y ☒ N
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?		Y ☒ N
If Yes, please list business name(s) and location(s):		
Is any principal officer under the age of 21?		Y ☒ N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?		Y ☒ N
If Yes, please explain:		

I Repl D do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

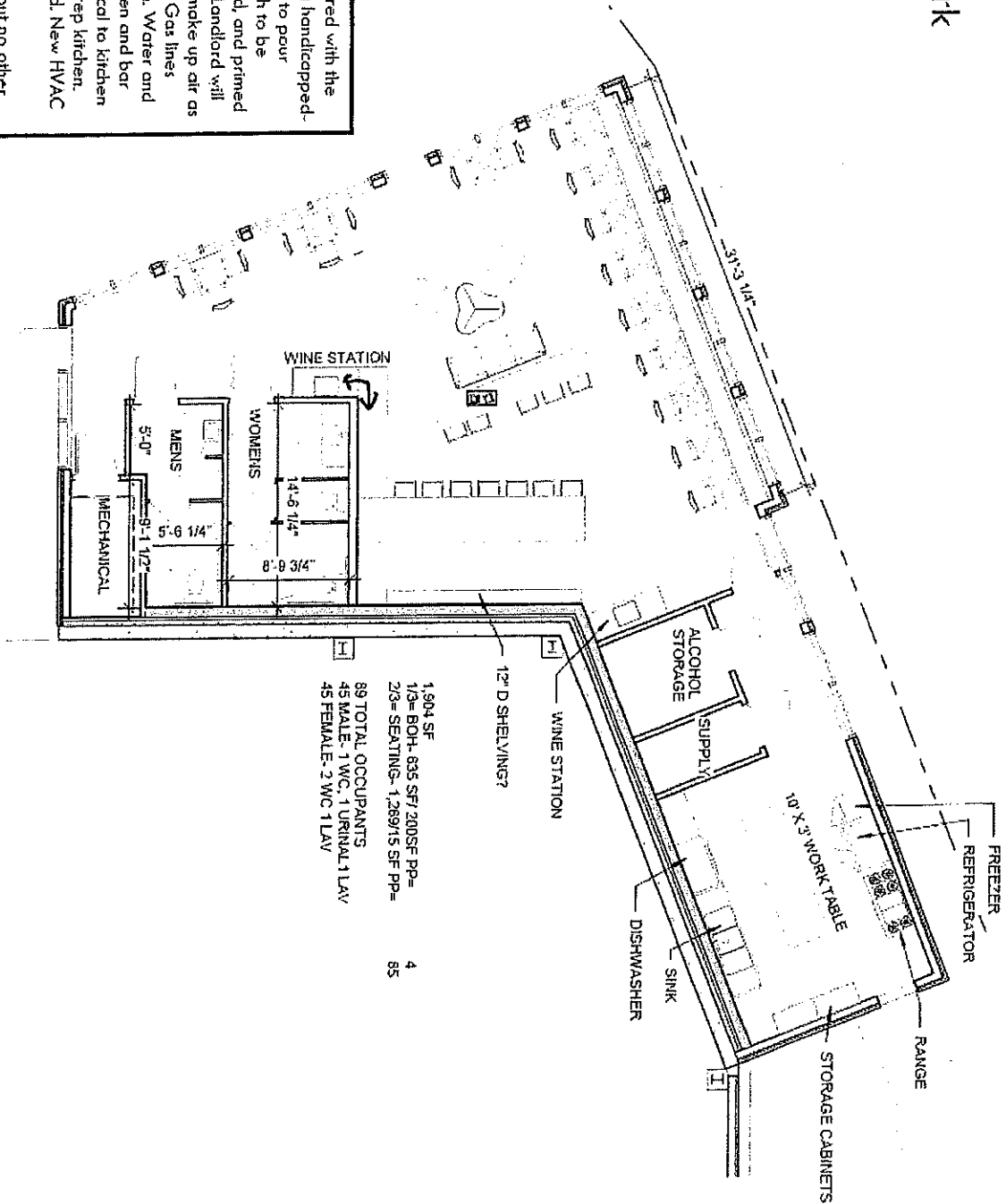
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Repl D Title President Date 5-30-23

EXHIBIT B Landlord's Work

Demised premises to be delivered with the following specifications. Two(2) handicapped-accessible bathrooms. Landlord to pour concrete floor and bar top. Both to be finished. Walls sanded, prepped, and primed for tenant's final coat of paint. Landlord will install a 10ft hood system with make up air as well as fire suppression system. Gas lines stubbed under the hood system. Water and sewer lines stubbed in the kitchen and bar area per tenant's layout. Electrical to kitchen area customary for a typical prep kitchen. Grease trap is already installed. New HVAC system.
Landlord responsible for hood but no other equipment.

1 WINE BAR TEST FIT
1/8" = 1'-0"



DS DS
QD SN

Menu

Empanadas

Samosas

Naan bread

Charcuterie boards (Cheeses, Deli meats and Crackers)

Mixed nuts

Jams

Chocolate

Peanut butter chips

Marshmallows

Cookies

Fruit

Pretzels

Pies

Cakes

Sauces



CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining Permit on Private Property
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☒ Outdoor Dining on Private Property \$125.00 ☒ Legal Advertisement Deposit \$100.00

Business Information	
Business Name (d/b/a):	ANGOUR WINE BAR
Location Address:	120 FORE STREET PORTLAND ME 04101
Mailing Address:	96 ESSEX CIR #22 RAYNHAM MA 02767
Contact Person:	RAFAEL DONES
Contact Person Email:	RS@ANGOUR-WINEBAR.COM
Manager of Establishment:	SANGEETA NASIFF
Date of Birth:	1-12-1974
Owner of Premises (Landlord):	100 FORE STREET, LLC
Address of Premises Owner:	PO BOX 66749 FAIRBURY ME 04105

Owner Information

Corporate Name		Corporate Mailing Address	
ANGOUR INC		96 ESSEX CIR #22 RAYNHAM MA 02767	
Contact Person:	RAFAEL DONES	Phone:	617-719-7759
Principal Officers	Title	Date of Birth	Residence Address
RAFAEL DONES	Pres	1-9-1977	96 ESSEX CIR #22 RAYNHAM MA 02767
SANGEETA NASIFF	V.P.	1-12-1974	96 ESSEX CIR #22 RAYNHAM MA 02767



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	X CLASS A (X)
Type of food served:	TAPAS
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	12pm - 11pm 5 DAYS WED - SUN
Number of Tables	6
Number of Chairs	24

Design and Construction

- If you are building a structure or adding impervious surface for the outdoor dining area please contact the Permitting and Inspections Department for permitting requirements at permitting@portlandmaine.gov or 874-8703.

Maintenance and Operations

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- No food shall be prepared in the designated outdoor dining area.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature Refael Qu Title President Date 6/2/2023

For Administrative Use Only

Amount: _____	Request Date /	Approval	Notes: _____
Date Paid: _____	FD: _____		
CC _____ CA _____ CK _____	Health: _____		
	PD: _____		
Amount: _____	PR: _____		
Date Paid: _____	Treasury: _____		
CC _____ CA _____ CK _____	Zoning: _____		

Patio

Designed by ERIN DORRANCE

Made for Angoor Wine Bar on Jun 16, 2023

Plan ID: 460471

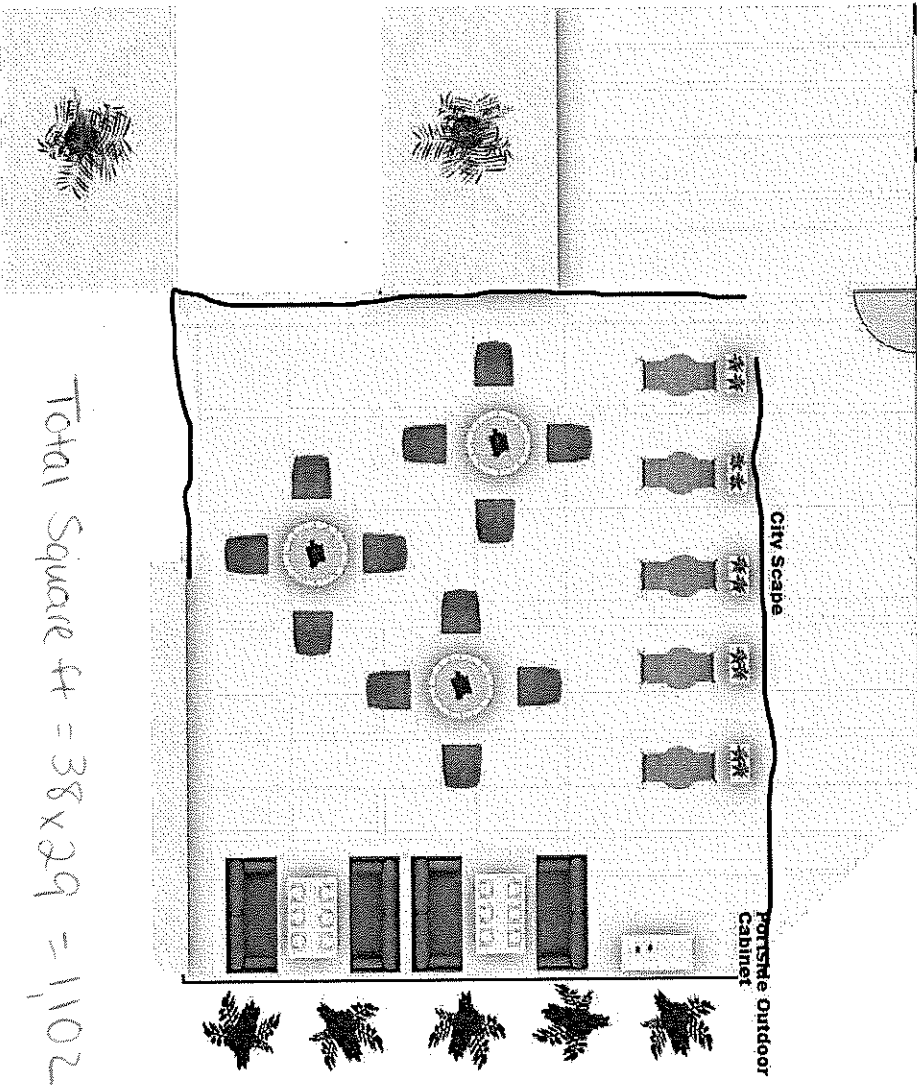
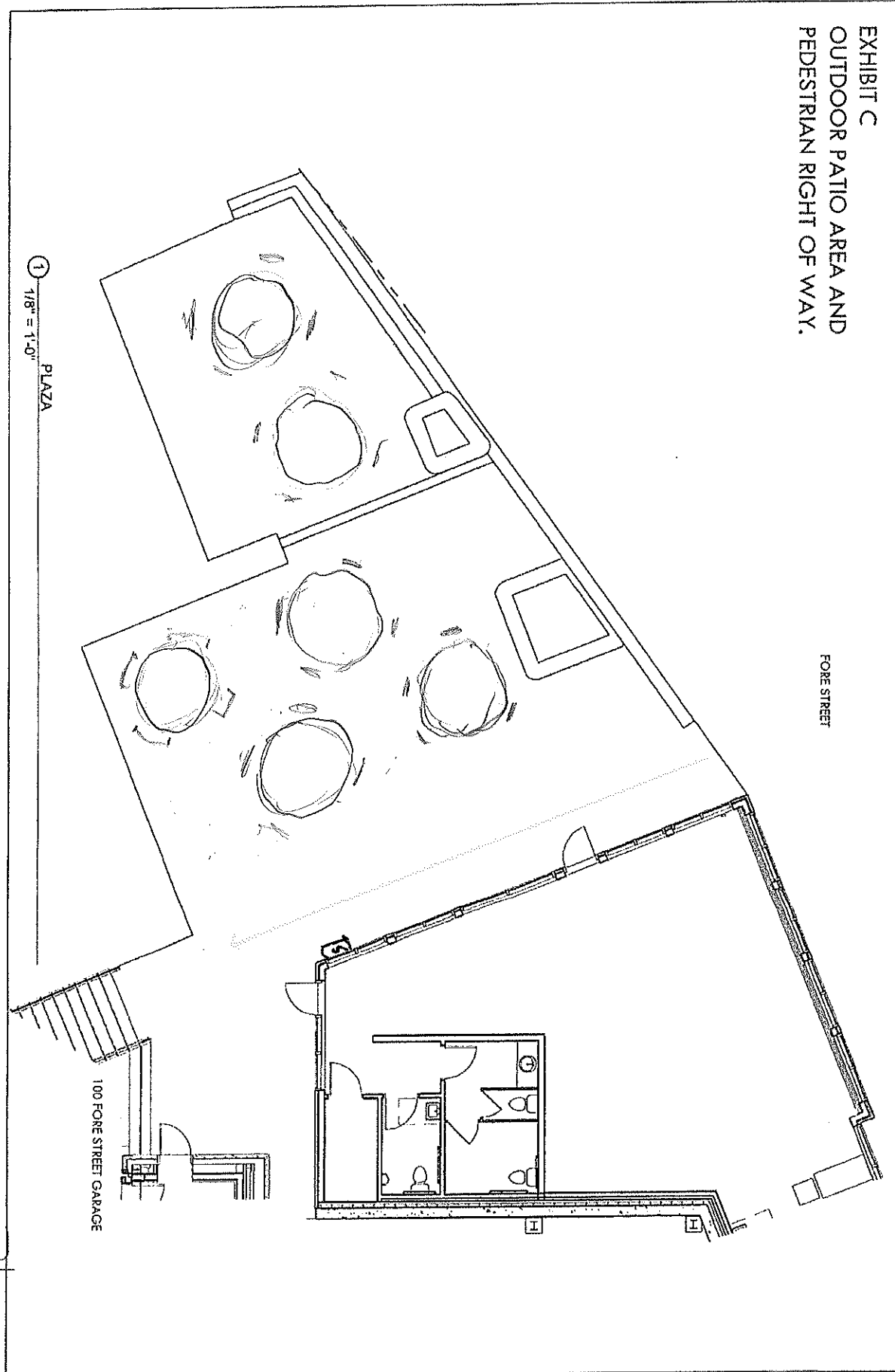


EXHIBIT C
OUTDOOR PATIO AREA AND
PEDESTRIAN RIGHT OF WAY.



DS
Sa

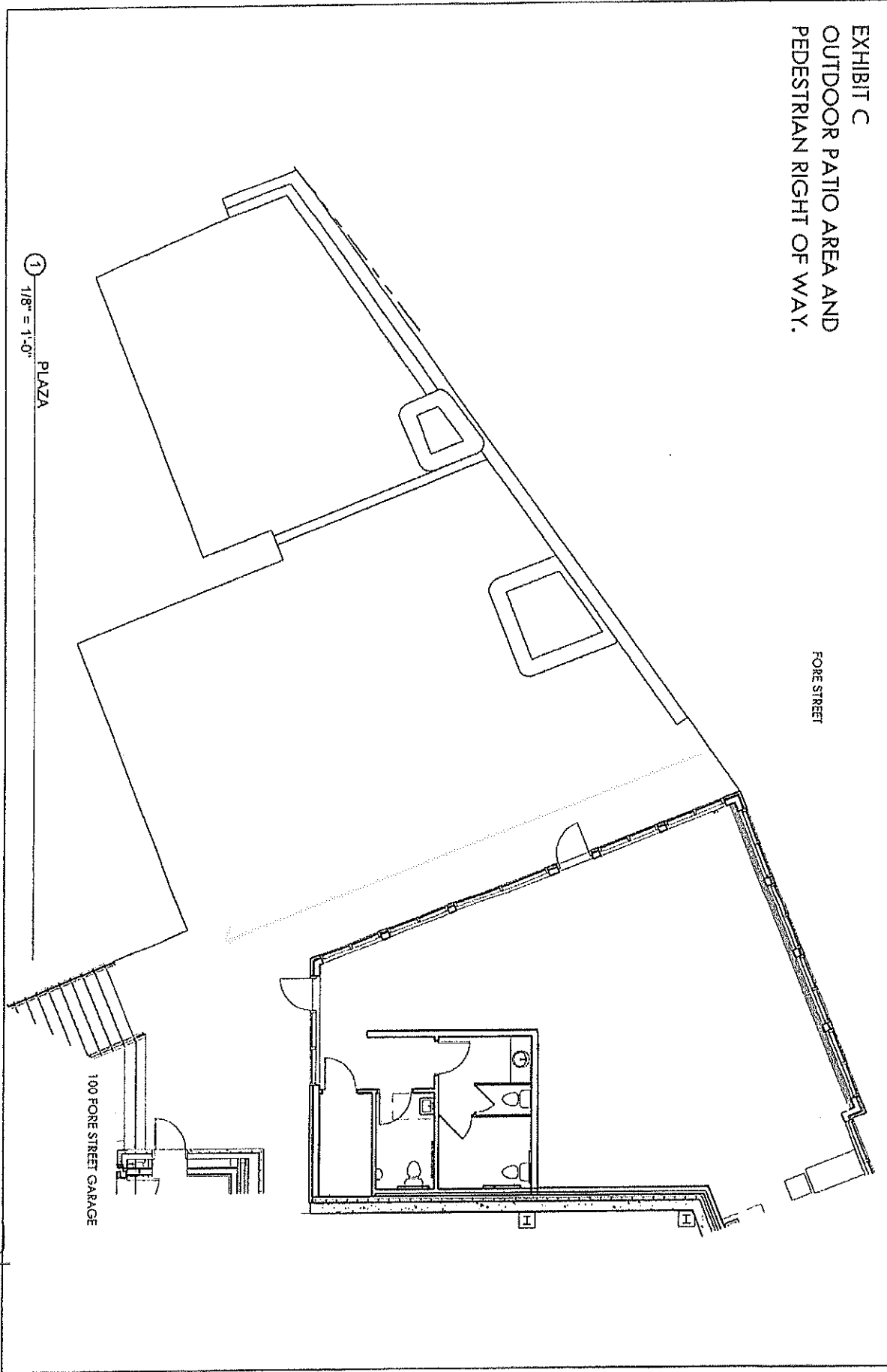
DS
RD

SK30

100 FORE STREET

ARCHITECTURAL ARCHITECTS 42 Green Street Portland, Maine 04101 03-71-2025

EXHIBIT C
OUTDOOR PATIO AREA AND
PEDESTRIAN RIGHT OF WAY.

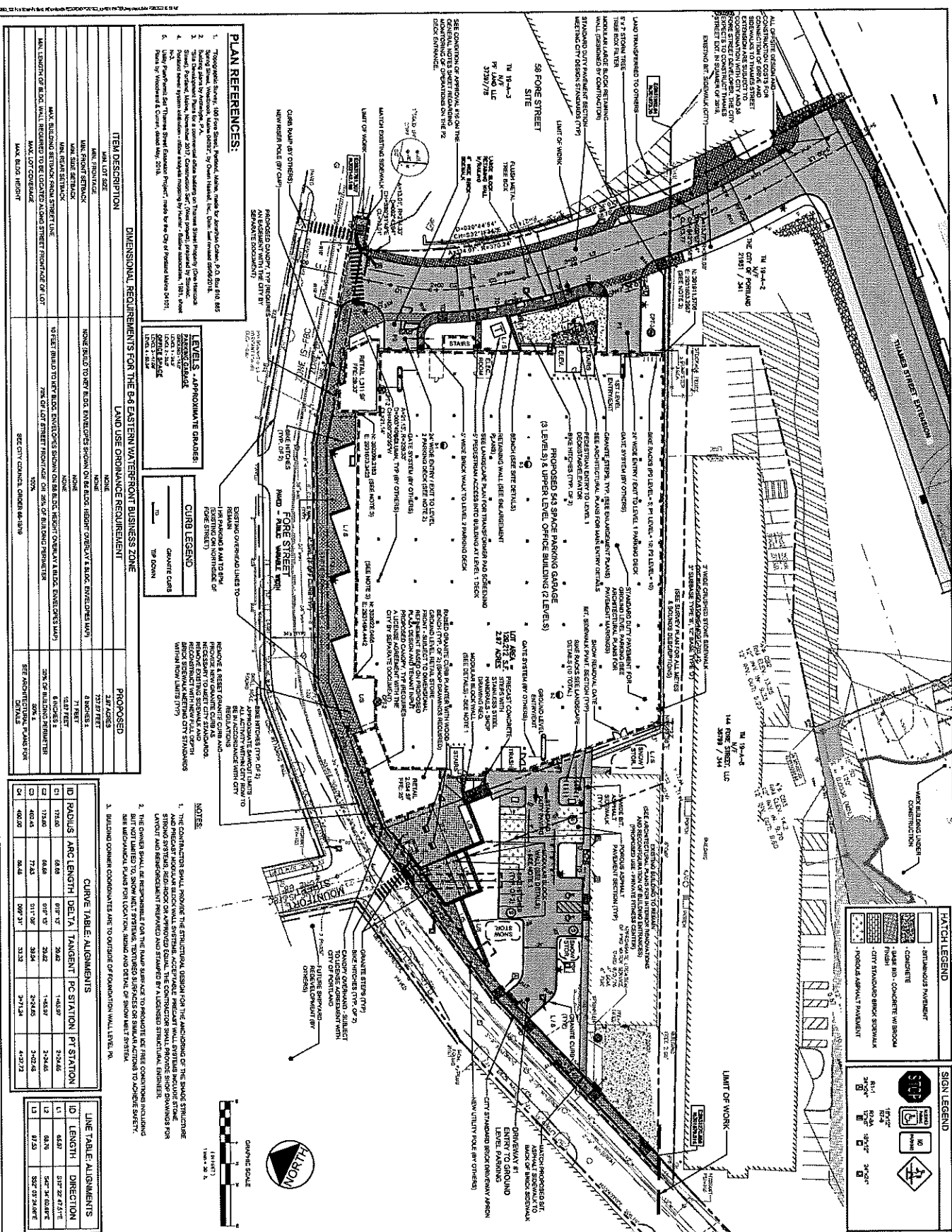


100 FORE STREET

DS
Sa

DS
QD

SK30





Angoor Wine Bar - 100 Fore - Class A Lounge

Eric Nevins <erich@portlandmaine.gov>

Tue, Jul 18, 2023 at 3:50 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Approved

On Tue, Jul 18, 2023 at 11:47 AM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

Angoor Wine Bar - 100 Fore - Class A Lounge

Zoning <zoning@portlandmaine.gov>

Tue, Jul 18, 2023 at 1:51 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erick@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Good Afternoon,

It is not clear what unit they will occupy or if a change of use will be required. I will reach out to the applicant.

Bar is a permitted use in the B6 zone per Table 6-C so once the legal use of the tenant space is confirmed as bar, I can approve.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on August 14, 2023 at 4:00 P.M., virtually Angoor Inc, dba Angoor Wine Bar. Application for Class A Lounge with Outdoor Dining on Private Property at 100 Fore Street - Sponsored by Anne McGuire, Acting City Manager

City of Portland | Permitting and Inspections
Zachary Lenhart, Licensing and Housing Safety Manager



August 9, 2023

Angoor Inc
96 Essex Circle #22
Raynham, MA 02767

Re: Angoor Inc, dba Angoor Wine Bar. Application for Class A Lounge with Outdoor Dining on Private Property at 100 Fore Street

Dear Angoor Inc :

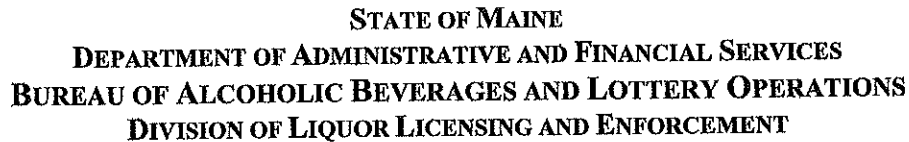
This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday August 14, 2023 at 4:00 p.m., for the review of application for Class I FSE at 88 Exchange Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on August 11, 2023.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhart
Licensing and Housing Safety Manager



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

1. New license or renewal of existing license? ☒ New Expected Start date: 08/12/2023
☐ Renewal Expiration Date: _____

Food: \$60,000 Beer, Wine or Spirits: \$360,000 Guest Rooms: _____

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☐ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☒ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

96 Essex cir #22 Raynham MA 02767

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Rafael J Dones	01/09/1977	Boston MA
Sangeeta Nasiff	01/12/2074	Bridgeport CT

Residence address on all the above for previous 5 years

Name Address:
Rafael Dones 96 Essex circle unit 23 Raynham MA 02767

Name Address:
Rafael Dones 78 Woodlawn Street Middleboro MA 02346

Name Address:
Sangeeta Nasiff 96 Essex circle unit 22 Raynham MA 02767

Name Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Commercial Properties Management LLC 100 Fore Street Portland ME 04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

There will be three wine dispenser stations. First station will be on the wall to the right of the door to the kitchen, second will be to the right of the bar and third will run to the right of the second station.

Beer and Spirits will be served behind at the bar.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: The Roux Institute at Northeastern University

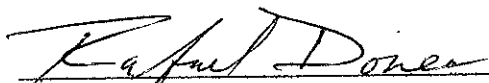
Distance: 400.00

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

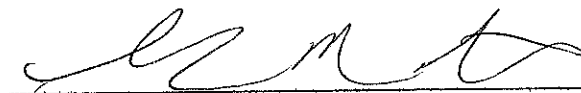
Please sign and date in blue ink.

Dated: _____


Signature of Duly Authorized Person

RAFAEL DONES
Printed Name Duly Authorized Person


Signature of Duly Authorized Person


Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec053.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/arc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

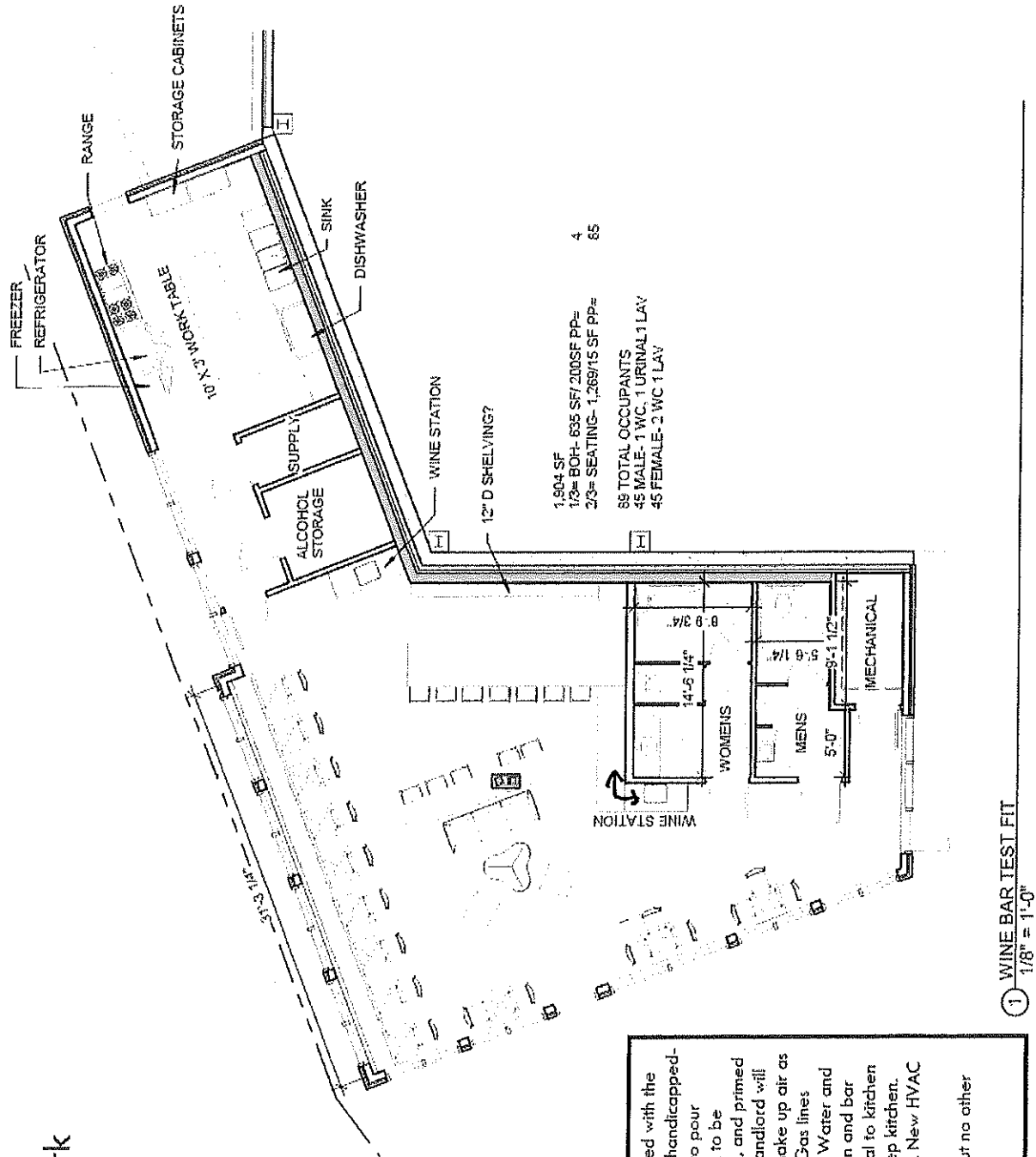
Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

See attached

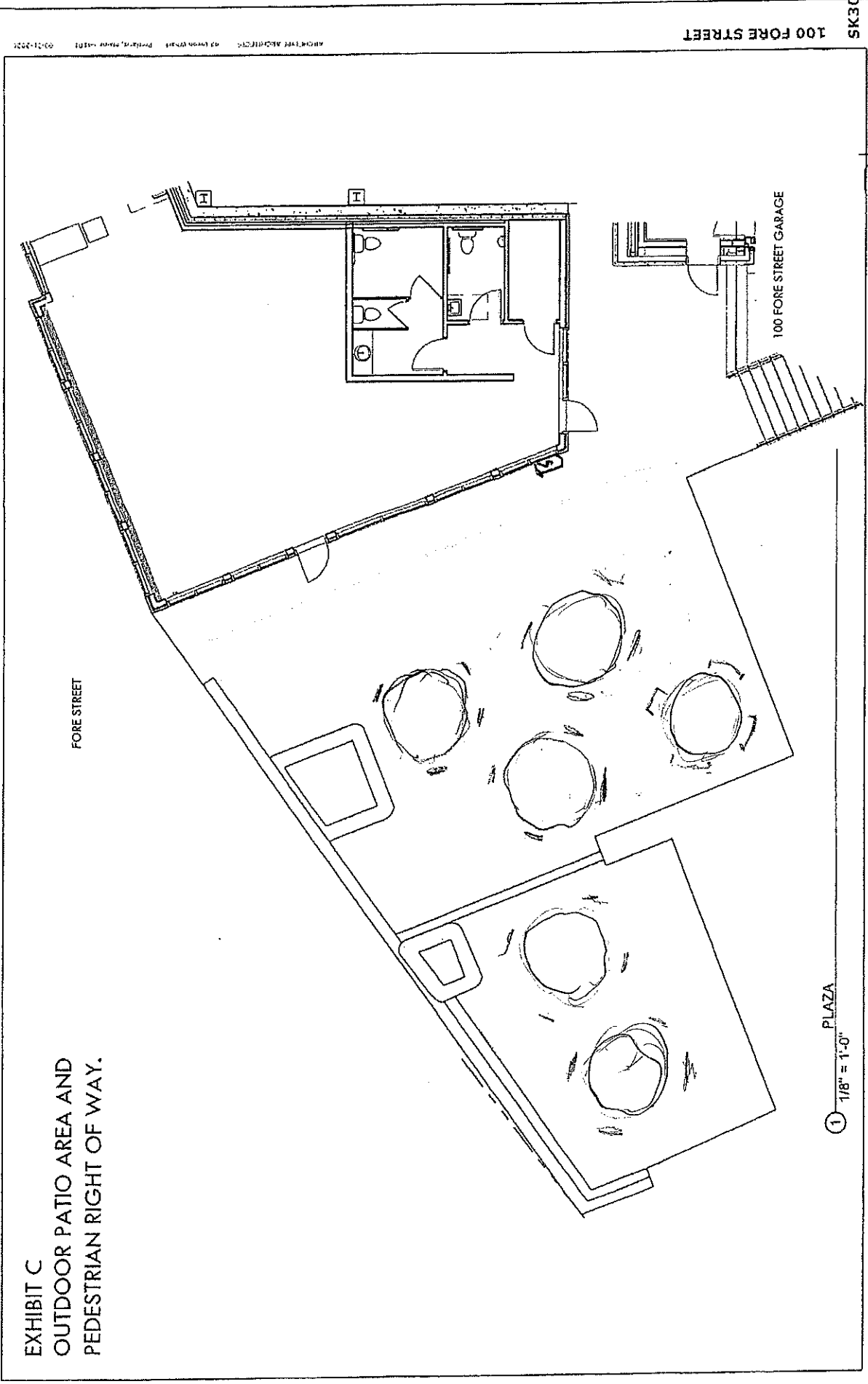
EXHIBIT B Landlord's Work



Demised premises to be delivered with the following specifications. Two (2) handicapped-accessible bathrooms. Landlord to pour concrete floor and bar top. Both to be finished. Walls sanded, prepped, and primed for tenant's final coat of paint. Landlord will install a 10ft hood system with make up air as well as fire suppression system. Gas lines stubbed under the hood system. Water and sewer lines stubbed in the kitchen and bar area per tenant's layout. Electrical to kitchen area customary for a typical prep kitchen. Grease trap is already installed. New HVAC system.

Landlord responsible for hood but no other equipment.

EXHIBIT C
OUTDOOR PATIO AREA AND
PEDESTRIAN RIGHT OF WAY.



1 1/8" = 1'-0" PLAZA

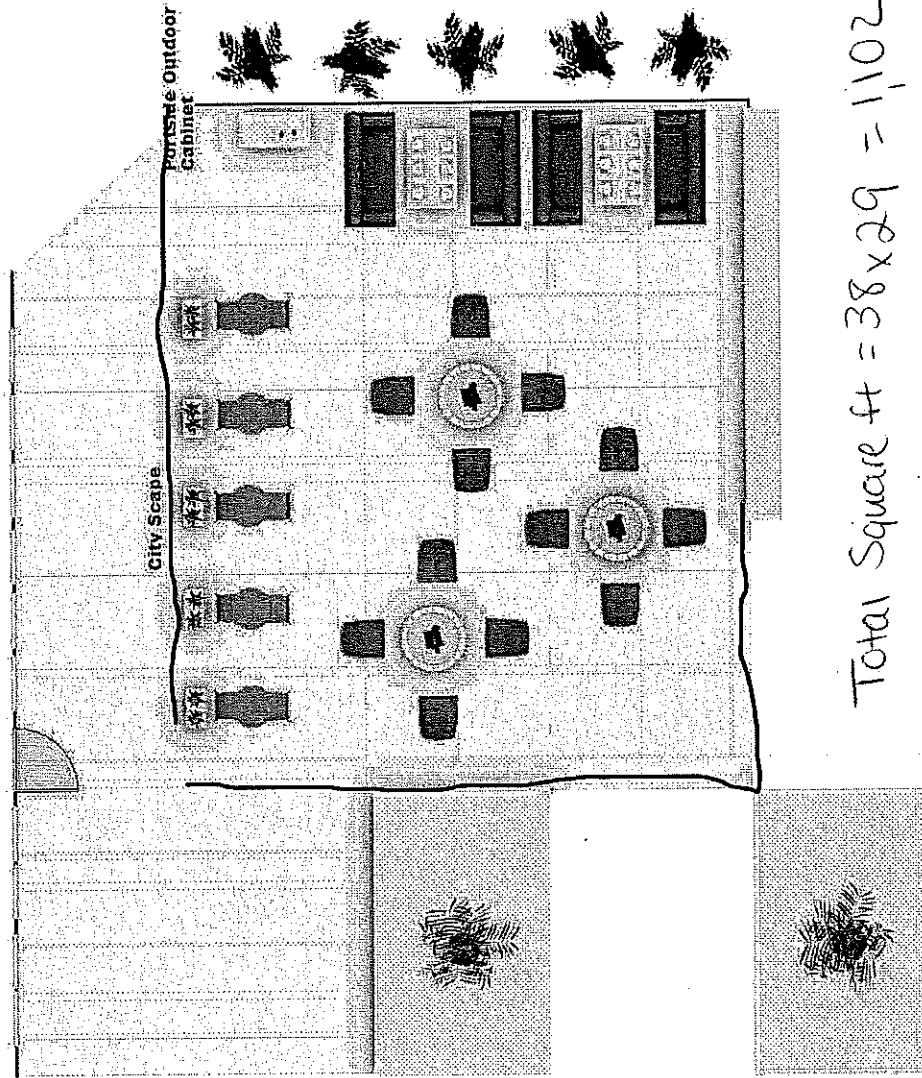
100 FORE STREET

SK30

ARCHITECT: MCDONALD + CRITCHFIELD
DATE: 02-21-2024
PROJECT: 100 FORE STREET
SHEET: 01 OF 01

DS

DS



Total Square ft = $38 \times 29 = 1102$

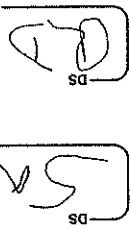
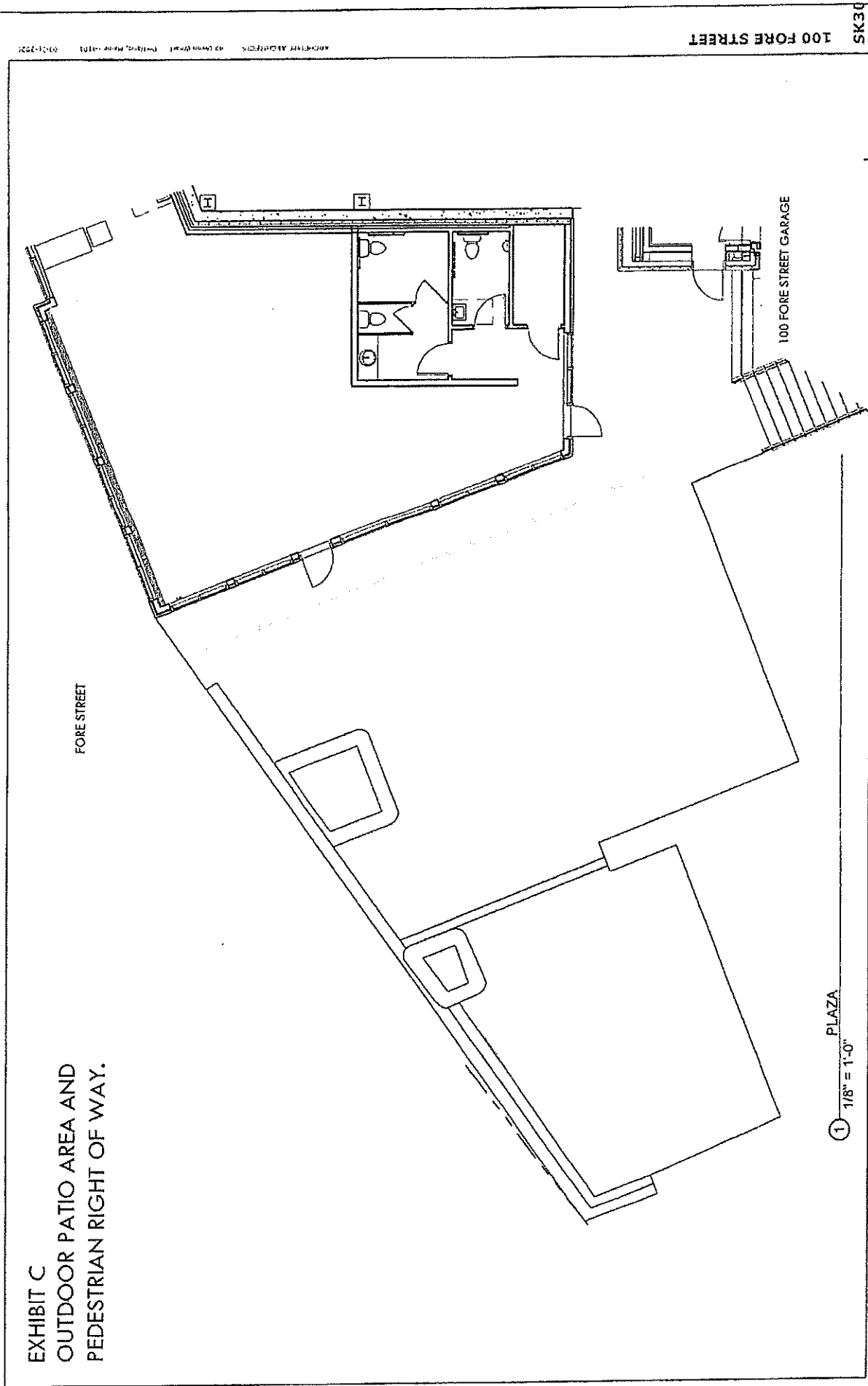
Patio

Designed by ERIN DORRANCE

Made for Angoor Wine Bar on Jun 16, 2023

Plan ID: 460471

EXHIBIT C
OUTDOOR PATIO AREA AND
PEDESTRIAN RIGHT OF WAY.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Angoor Inc.
2. Doing Business As, if any: Angoor Wine Bar
3. Date of filing with Secretary of State: 09/22/2022 State in which you are formed: 09/27/2022
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Rafael Dones	96 Essex Circle #23 Raynham MA 02767	01/09/1977	President	50%
Rafael Dones	78 Woodlawn St. Middleboro Ma 02346			
Sangeeta Nasiff	96 Essex Circle #22 Raynham MA 02767	01/12/1974	Vice President	50%

(Ownership in non-publicly traded companies must add up to 100%.)

MEMORANDUM
City Council Agenda Item

FROM:

DATE: July 31, 2023

SUBJECT: Order 15-23/24 Granting Municipal Officers' Approval of Bissell Brothers Brewing Company, dba Bissell Brothers Brewing. Application for Class I FSE with Outdoor Dining on Private Property at 38 Resurgam Place - Sponsored by Anne McGuire, Assistant City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 7/6/23. New City and State applications. Expansion and license class change of existing establishment. Establishment currently holds a Class III & IV at current location.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.08.14_Bissell Brothers

2. Bissell Brothers_Council Packet

Prepared by:

Date: 07/31/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Bissell Brothers Brewing Company, dba Bissell Brothers Brewing. Application for Class I
FSE with Outdoor Dining on Private Property at 38 Resurgam Place**

Stephen Smith
Bissell Brothers Brewing Co LLC
38 Resurgam Pl
Portland ME, 04102
July 5th, 2023
Letter of Intent for Expansion Space

Dear Mayor and Members of the City Council,
I would like to ask for permission to increase our liquor and food licenses to accommodate our new expansion space joined to our current taproom/restaurant. Attached is our applications for your approval.
Thank you for your time and consideration.

Sincerely,
Stephen Smith



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information					
Establishment Name (d/b/a):	Bissell Brothers Brewing Co LLC	Phone:	207-808-8258		
Location Address:	38 Resurgam Pl Portland ME		Zip: 04102		
If new, what was formerly at this location:					
Mailing Address:	38 Resurgam Pl Portland ME		Zip: 04102		
Contact Person:	Stephen H Smith	Phone:	617-455-7643		
Contact Person Email:	Steve@bissellbrothers.com				
Manager of Establishment:	Stephen Smith	Date of Birth:	9/3/88	Phone:	617-455-7643
Owner of Premises (Landlord):	Chris Thompson /o Thompson's Point LLC				
Address of Premises Owner (Landlord):	501 Danforth St. Portland ME		Zip:	04102	

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address			
Bissell Brothers Brewing Co LLC		38 Resurgam Pl		Zip:	04102
Contact Person:	Stephen Smith		Phone:	617-455-7643	
Principal Officers	Title	Date of Birth	Residence Address		
Peter Bissell	owner	8/10/83	23 Clemans St South Portland ME		
Nancy Bissell	owner	12/27/89	441 Morse Rd New Gloucester ME		
Class of Liquor License:		Type IV Class I FSE			



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	Upscale Pub Fare	
Please circle all that will be served:	Beer Wine Liquor	
Projected percentage of sales:	Generated from Food: 30%	Generated from Alcohol: 70%
Hours & days of operation:	11 ^{am} - 9 ^{pm} Daily	
QUESTIONS		Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?		Y/N
If No, please explain:		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?		Y/N
If yes, give the distance:		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)		Y/N
Will you permit dancing after 1:00 a.m.?		Y/N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)		Y/N
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?		Y/N
If yes, please list: # of amusements: _____ # of pool tables: _____		
What is your targeted opening date? 7/5/23		
Does the Issuance of this license directly or indirectly benefit any City employee(s)?		Y/N
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?		Y/N
If Yes, please list business name(s) and location(s):		
Bisgull Dancers Brewery Co LLC		
Is any principal officer under the age of 21?		Y/N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?		Y/N
If Yes, please explain:		

I, Stephen Smith do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature [Signature] Title Operating Manager Date 7/5/23



CITY OF PORTLAND
Permitting and Inspections Department

**Outdoor Dining Permit on Private Property
Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☒ Outdoor Dining on Private Property \$125.00 ☒ Legal Advertisement Deposit \$100.00

Business Information	
Business Name (d/b/a):	Bissell Brothers Brewing Co LLC Phone: 207-808-8258
Location Address:	38 Resurgnum Pl Portland ME Zip: 04102
Mailing Address:	" Zip: "
Contact Person:	Stephen H Smith Phone: 617-455-7643
Contact Person Email:	Steve@Bissellbrothers.com
Manager of Establishment:	Stephen Smith Date of Birth: 9/13/88 Phone: 617-455-7643
Owner of Premises (Landlord):	Chris Thompson c/o Thompson's Point LLC
Address of Premises Owner:	501 Danton St. Portland ME Zip: 04102

Owner Information

Corporate Name		Corporate Mailing Address	
Bissell Brothers Brewing Co		38 Resurgnum Pl Portland ME Zip: 04102	
Contact Person:	Stephen H Smith	Phone:	617-455-7643
Principal Officers	Title	Date of Birth	Residence Address
Robert Bissell	Owner	8/12/83	
Nash Bissell	Owner	12/27/89	441 Morse Rd New Gloucester ME



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	Class I FSE Class I FSE
Type of food served:	Upscale Pub Fare
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	11-9 Daily
Number of Tables	6 Picnic Tables
Number of Chairs	10 Chairs

Design and Construction

- If you are building a structure or adding impervious surface for the outdoor dining area please contact the Permitting and Inspections Department for permitting requirements at permitting@portlandmaine.gov or 874-8703.

Maintenance and Operations

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- No food shall be prepared in the designated outdoor dining area.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature [Signature] Title Operations Manager Date 7/5/23

For Administrative Use Only

Amount: _____	Request Date /	Approval	Notes: _____
Date Paid: _____	FD: _____	_____	_____
CC _____ CA _____ CK _____	Health: _____	_____	_____
	PD: _____	_____	_____
Amount: _____	PR: _____	_____	_____
Date Paid: _____	Treasury: _____	_____	_____
CC _____ CA _____ CK _____	Zoning: _____	_____	_____

areas of new alcohol consumption marked in yellow

NEW PUBLIC CONSUMPTION SPACE

EXISTING CONSUMPTION SPACE

new prep kitchen

new bathrooms

these doors remain locked from outside

1st Floor - NEW

1st Floor - EXISTING

BAR

BREWERY

WALK-IN

CAN STORAGE

LOBBY

OFFICE

LOCKERS

LOUNGE

LOADING DOCK

OVERHEAD DOOR

F2

A2

12 MAY 2022

1/8" = 1'-0"

First Floor

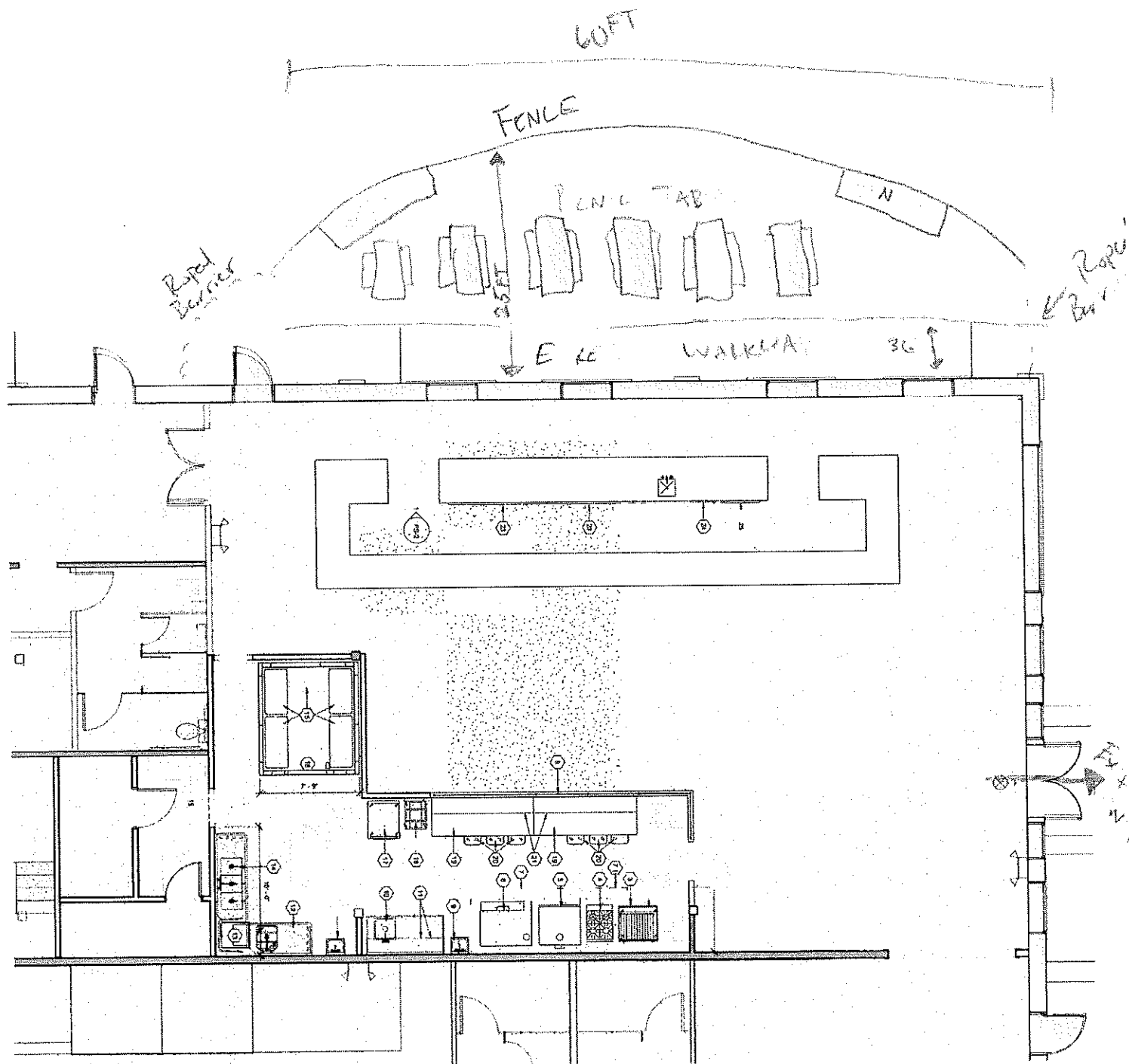
Project Name

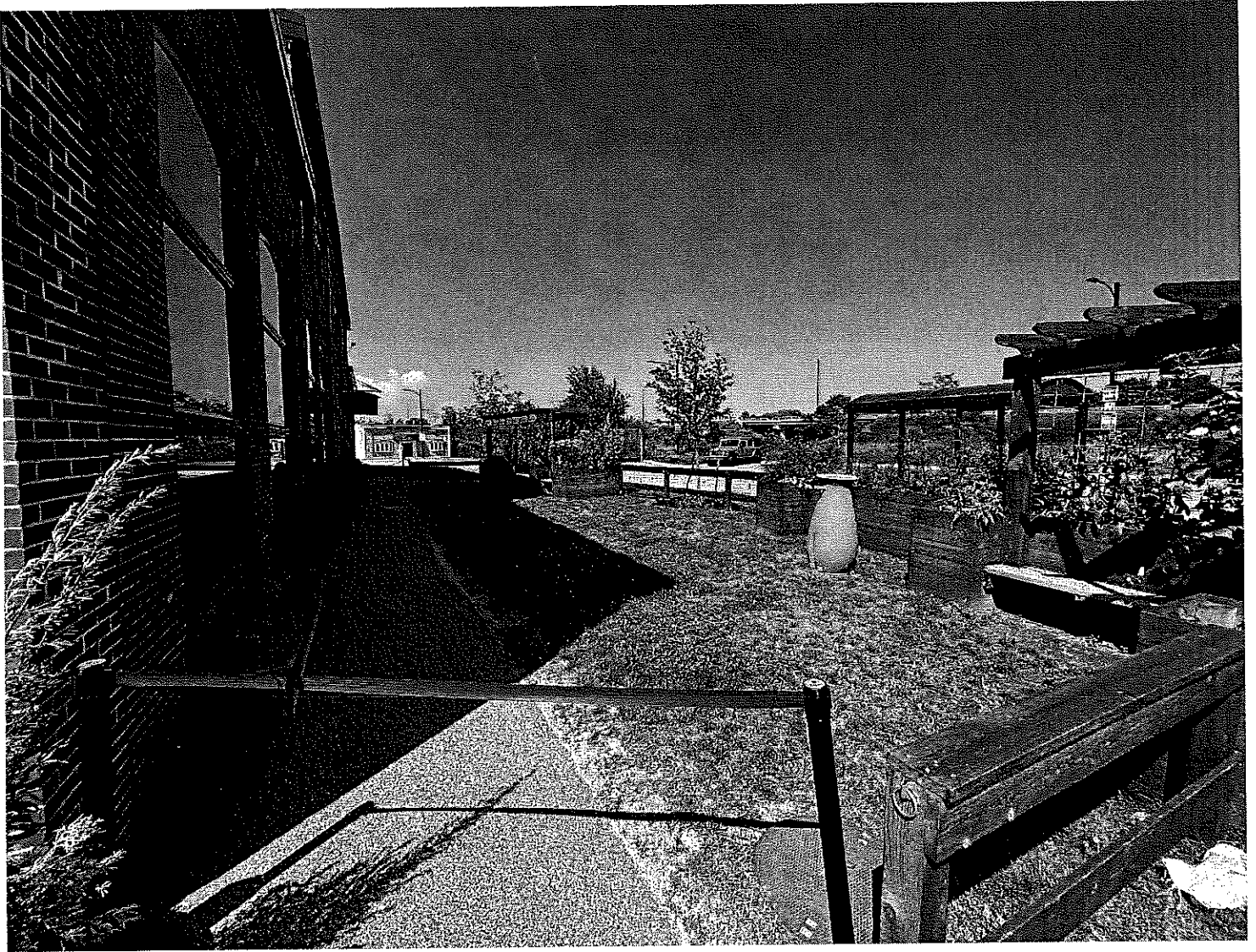
ARCHETYPE ARCHITECTS

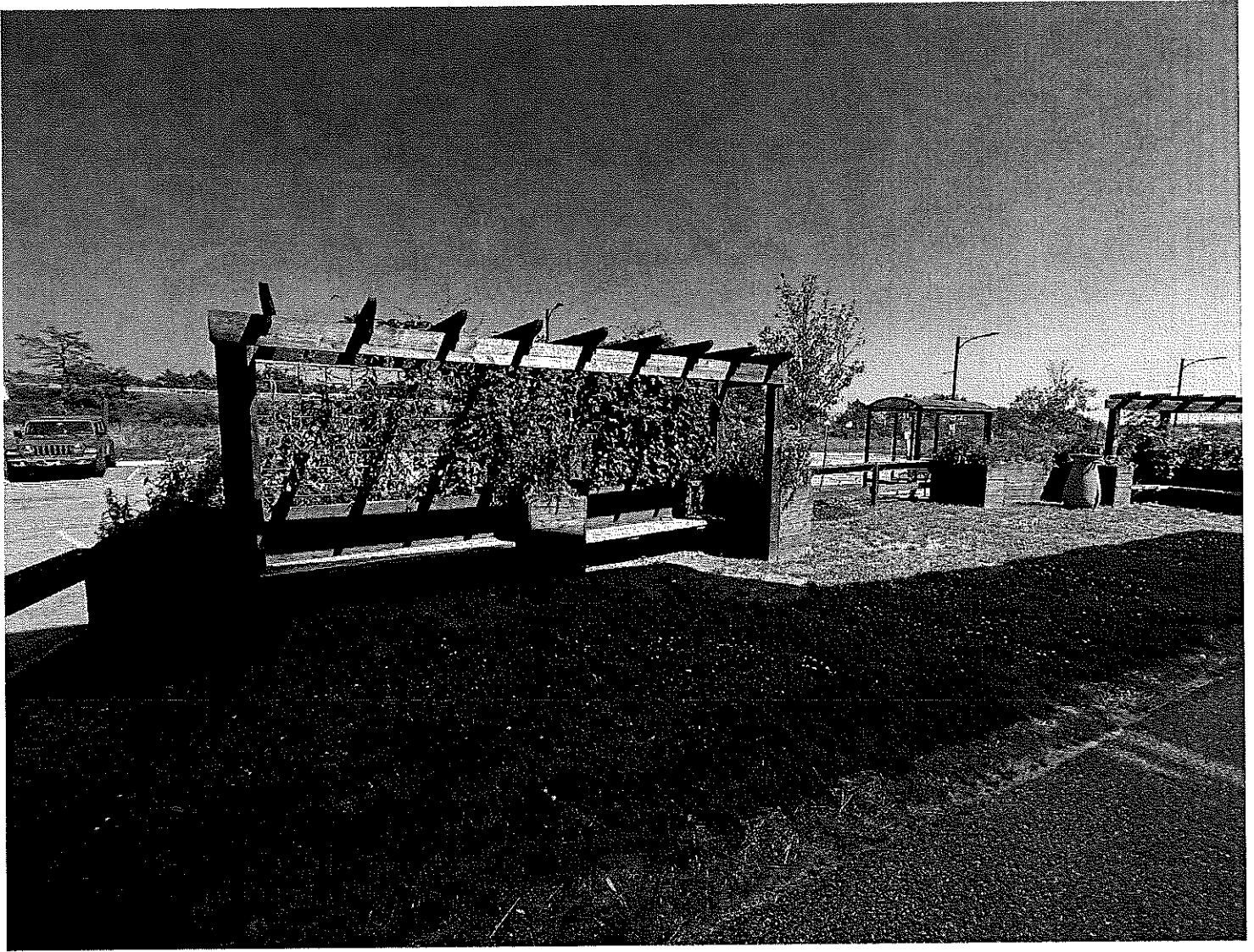
44 Union Street Portland, Maine 04101

207.772.1002 archtype@archetypepa.com

Owner









Zachary Lenhart <zlenhart@portlandmaine.gov>

Bissel Brothers - 38 Resurgam - Class I FSE

Eric Nevins <erick@portlandmaine.gov>

Tue, Jul 18, 2023 at 3:53 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Approved

On Tue, Jul 18, 2023 at 11:45 AM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513



Zachary Lenhart <zlenhart@portlandmaine.gov>

Bissel Brothers - 38 Resurgam - Class I FSE

Zoning <zoning@portlandmaine.gov>

Mon, Jul 31, 2023 at 10:01 AM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Good Morning,

I just approved a zoning only change of use for Bissell Brothers and they now have restaurant as a legal use for zoning on their property. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on August 14, 2023 at 4:00 P.M., virtually Bissell Brothers Brewing Company, dba Bissell Brothers Brewing. Application for Class I FSE with Outdoor Dining on Private Property at 38 Resurgam Place - Sponsored by Anne McGuire, Acting City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



August 9, 2023

Bissell Brothers Brewing Company
38 Resurgam Place
Portland, ME 04102

Re: Bissell Brothers Brewing Company, dba Bissell Brothers Brewing. Application for Class I FSE with Outdoor Dining on Private Property at 38 Resurgam Place

Dear Bissell Brothers Brewing Company:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday August 14, 2023 at 4:00 p.m., for the review of application for Class I FSE with Outdoor Dining on Private Property at 38 Resurgam Place. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on August 11, 2023.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Z Lenhert".

Zachary J. Lenhert
Licensing and Housing Safety Manager



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): Bissell Brothers Brewing Co LLC	Business Name (D/B/A):
Individual or Sole Proprietor Applicant Name(s): Oliver Bissell	Physical Location: 38 Resurgum Pl Portland ME 04102
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: Steve@BissellBrothers.com
Telephone # Fax #:	Business Telephone # Fax #: 207-808-8258
Federal Tax Identification Number: 46-2081628	Maine Seller Certificate # or Sales Tax #: SMB-2013-35W
Retail Beverage Alcohol Dealers Permit:	Website address: BissellBrothers.com

1. New license or renewal of existing license?

☒

New

Expected Start date: **7/5/23**

☐

Renewal

Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____

Beer, Wine or Spirits: _____

Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒

Malt Liquor (beer)

☒

Wine

☒

Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☒ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

38 Besegann Pl Portland ME 04102

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Chris Thompson c/o Thompsons Point LLC 501 Danforth St
Portland ME 04102

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

G.After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B.If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

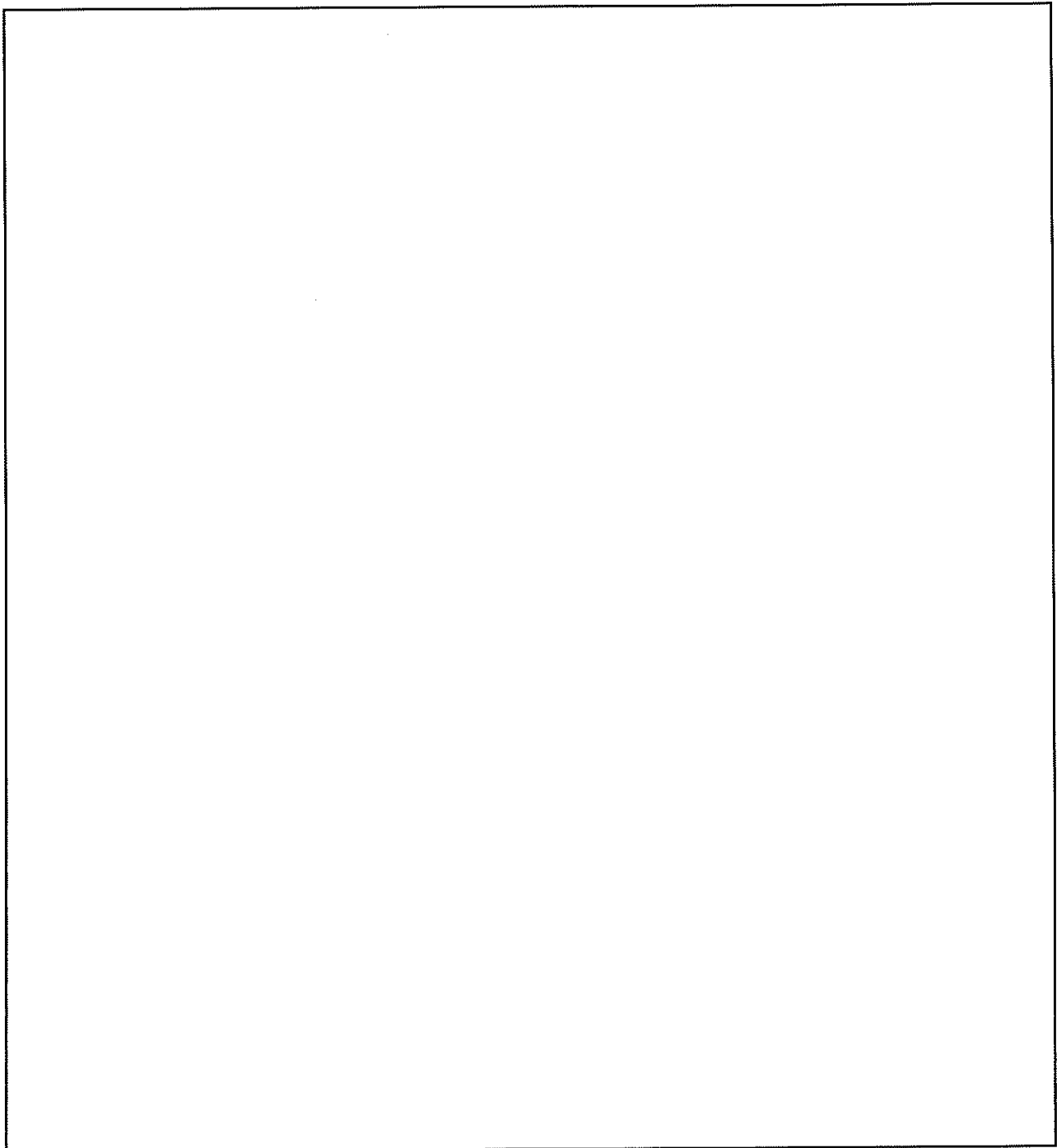
Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular Mail)
10 Water Street, Hallowell, ME 04347 (Overnight Mail)
Telephone (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



REQUEST FOR EXTENSION OF LICENSE ON PREMISE

Legal Name: BISSELL BROTHERS BREWING CO. LLC License Number: SMB-2013-35W
DBA Name: BISSELL BROTHERS Expiration Date: 10/4/23
Physical Address: 38 RESURGAM PLACE City, State, Zip PORTLAND, MAINE, 04102
Mailing address: 11
Street / PO Box City State Zip
Phone: _____ Fax: _____ Email address: peter@bissellbrothers.com

Name, address, telephone number of Property Owner (if property is rented or leased, need copy of rental agreement / lease): CHRIS THOMPSON 40 THOMPSONS POINT LLC 501 DANFORTH ST PORTLAND, ME
207-777-5288

Temporary ☐ Permanent ☒ Inside ☒ Outside ☐ Live Entertainment: Yes ☐ No ☒

Start Date: 7/1/2023 End Date (if applicable): _____

Reason for this request: NEW ROOM IN TASTING ROOM

This request for an extension of service area for on premise license location MUST have Town / County Commission approval and MUST have a diagram submitted with this form.

Outdoor Restrictions:

There must be a stanchion or fence completely enclosing the area. Signs must be posted, stating "no alcohol beyond this point". There must be sufficient employees at the extension of premise, which would be able to control and monitor the area.

Signature of Owner / Corporate Officer

Printed Name of Owner / Corporate Officer

For Municipal Approval Only

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Offices ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Signature of Officials	Printed Name	Title

EXTENSION AREA PREMISE DIAGRAM

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division for liquor consumption.

ATTACHED

For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

☐ Approved

☐ Not Approved

Subchapter 1: GENERAL CONDITIONS

§1051. LICENSES GENERALLY

3. Liquor not to be consumed elsewhere. Except as provided in paragraphs A and B and in section 1207, no licensee for the sale of liquor to be consumed on the premises where sold may personally or by an agent or employee, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

[illegible]

MEMORANDUM
City Council Agenda Item

FROM:

DATE: July 31, 2023

SUBJECT: Order 16-23/24 Granting Municipal Officers' Approval of 123CZ LLC, dba Porttown Public House. Application for Class I FSE at 129 Commercial Street - Sponsored by Anne McGuire, Assistant City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 7/18/23. New City and State applications. Location was previously Jake's Tavern.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.08.14_Porttown Public House
2. Porttown Public House_Council Packet

Prepared by:

Date: 07/31/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

123CZ LLC, dba Porttown Public House. Application for Class I FSE at 129 Commercial Street

123CZ LLC
d/b/a Porttown Public House
123 Commercial Street
Portland, ME 04101
Porttownportland@gmail.com
617-413-0048

July 14th, 2023

City of Portland
389 Congress Street
Room 307
Portland, ME 04101

Re: 123CZ LLC –Maine Liquor License Application

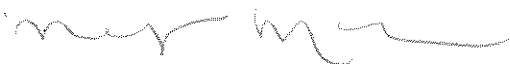
Dear Sir/Madam:

Accompanying this letter please find the both the State of Maine Liquor License Application and the City of Portland Food Service Establishment with Alcohol Application, which has been completed for 123CZ LLC, formerly J&L Ventures, LLC, located at 123 Commercial Street in Portland, ME.

Once the City has reviewed and approved the application would you please forward the approved application back to my attention at 147 Fore Street Portland, ME 04101?

Should you have any questions or concerns please do not hesitate to contact me at the above email address or phone number.

Sincerely,



Megan McCabe

Controller

603 231-0758



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information					
Establishment Name (d/b/a):	Porttown Public House	Phone:	617-413-0048		
Location Address:	123 Commercial St. Portland, ME Zip: 04101				
If new, what was formerly at this location:	Jake's Tavern (J+L Ventures, LLC)				
Mailing Address:	343 Commercial St. PH312 Zip: 02109 Boston, MA				
Contact Person:	Roger Zeghibe	Phone:	617-413-0048		
Contact Person Email:	porttownportland@gmail.com				
Manager of Establishment:	Roger Zeghibe	Date of Birth:	8/30/62	Phone:	617-413-0048
Owner of Premises (Landlord):	RSB Limited Liability Company				
Address of Premises Owner (Landlord):	123 Commercial St. Portland, ME Zip: 04101				

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
123CZ LLC		343 Commercial St PH 312 Zip: 02109 Boston, MA	
Contact Person:	Roger Zeghibe	Phone:	617-413-0048
Principal Officers	Title	Date of Birth	Residence Address
Roger Zeghibe	Officer	8/30/62	343 Commercial St. PH312 Boston, MA 02109
Class of Liquor License:		Class A Lounge (class X)	



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	American Pub fare	
Please circle all that will be served:	☒ Beer ☒ Wine ☒ Liquor	
Projected percentage of sales:	Generated from Food: 51.	Generated from Alcohol: 95%.
Hours & days of operation:	10am - 1am Mon - Sun	

QUESTIONS

Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?

Y/N

☒ Y ☐ N

If No, please explain:

Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?

☒ Y ☐ N

If yes, give the distance:

Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)

☒ Y ☐ N

Will you permit dancing after 1:00 a.m.?

☒ Y ☐ N

Will you have outside dining? (If yes, an Outdoor Dining Application is required)

☒ Y ☐ N

If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).

Will you have any amusement devices (pinball, video games, juke box)?

☒ Y ☐ N

If yes, please list: # of amusements: juke box # of pool tables: _____

What is your targeted opening date?

Does the Issuance of this license directly or indirectly benefit any City employee(s)?

☒ Y ☐ N

If Yes, list name(s) of employee(s) and department(s):

Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?

☒ Y ☐ N

If Yes, please list business name(s) and location(s):

Is any principal officer under the age of 21?

☒ Y ☐ N

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?

☒ Y ☐ N

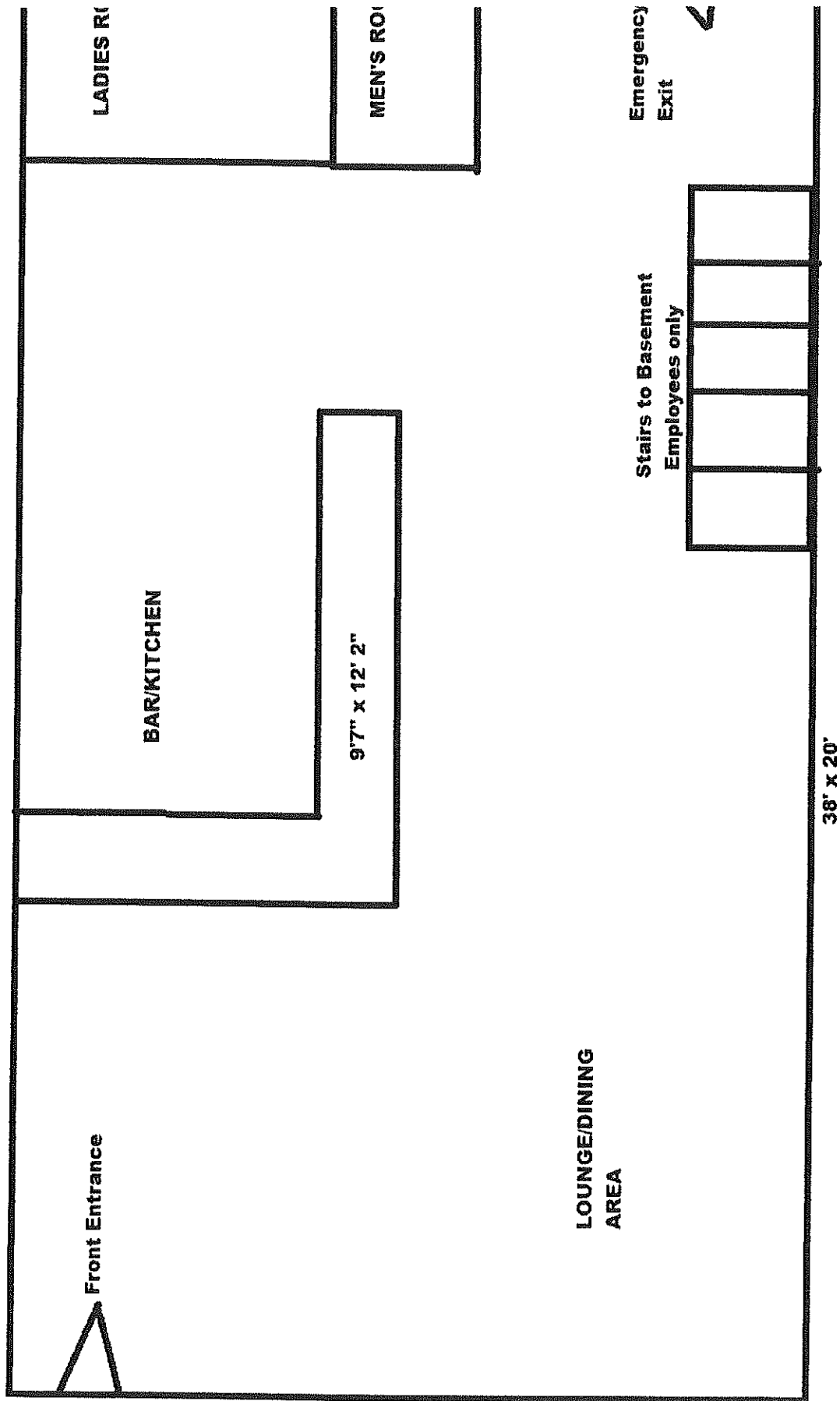
If Yes, please explain:

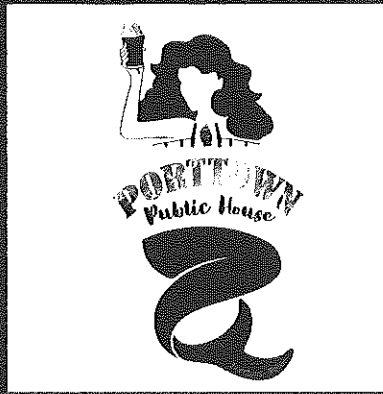
I Roger Zegh do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Roger Zegh Title Officer Date 7/12/23





DRAFT BEER

Shipyard Seasonal
Shipyard Export
Shipyard APA
Sea Dog Blueberry
Sea Dog Seasonal
Guinness
Allagash
Blue Moon
Lone Pine
Sam Adams Seasonal
Narragansett
Maine Beer Co.

BOTTLED BEER

Allagash White
Bud Light
Budweiser
Michelob Ultra
Corona
Miller Lite
Heincken
Yuengling Lager
Shipyard IPA
Sea Dog Blueberry
Shipyard Export
Sea Dog Seltzers
Blue Moon
Truly Flavors
Shipyard APA
Sea Dog Blood Orange

HOUSE WINES

Pinot Grigio | Chardonnay
Sauvignon Blanc | Cabernet Sauvignon
Merlot | Pinot Noir

SODA

Coke | Diet Coke | Sprite | Ginger Ale
Cranberry | Orange Soda | Tonic
Ginger Beer | Iced Tea | Lemonade
Orange Juice | Pineapple Juice
Grapefruit Juice
Captain Eli's Blueberry Pop
Captain Eli's Root Beer

COFFEE

CAFE COFFEE
Only Available When Beantown Cafe is Open

Cafe Latte
Cappuccino
Mocha Latte
Americano
Chai Latte

ALL DAY COFFEE
Available All Day, Everyday!

Drip Coffee
Hot Tea
Iced Coffee
Cold Brew

MOCKTAILS

Mocktail Punch
Pineapple, Coconut Puree, Sprite & Grenadine

The Mass Mock Mule
Ginger Beer, Cranberry Juice & Lime Juice

The Berry Sober
Eli's Blueberry Soda, Lemonade & Seltzer

SPECIALTY COCKTAILS

Freedom Trail Punch

Rum, Pineapple, Sprite & Grenadine

Massachusetts Mule

Cranberry Infused Ice Tea, Vodka, Ginger Beer, Lime

Maine Mule

Eli's Pit Maine Blueberry Vodka, Ginger Beer, Lime

Aperol Spritz

Aperol, Prosecco, Soda & Slice of Orange

Espresso Martini

Fresh Espresso, Kahlua, Absolut Vodka, Vodka & Irish Cream

The Judy

Eli's Pit Vodka, Lemonade & Eli's Blueberry Pop

Jameson Orange Crush

Jameson Orange, Triple Sec, OJ, Trappan with Sprite

Blackberry Lemonade Spritz

Absolut Citron, Blackberry puree, Lemonade & Soda Water

Show Me Your Coconuts

Guaraná, Coconut Water, Rum, Pineapple

Prosecco, Coconut Syrup & a Pinch of Cup

Apple Cider Mimosa

Fresh Cider, Prosecco, Cinnamon sugar rim

Beantown Buzz

Jameson Black Brandy, Lemonade & Peppermint Schnapps

Electric Watermelon

Absolut Watermelon, with Reppell

Smoke Show Margarita

Vodka, Mezcal, Tequila & Passion Fruit Margarita

Slane Espresso Martini

Slane Whiskey, Irish Cream, Kahlua, Fresh Espresso

Spicy Mezcal Margarita

Vodka, Mezcal, Muddled Jalapeno, Triple Sec, Sour Mix, Lime

Mally Blood Orange Mimosa

Mally Blood Orange, Citrus Blood Orange, Puree, Prosecco

617 Punch

Banana Limes, Bora Bora, Cachaça, Pineapple

Cranberry Juice & Grenadine

You are Such a Peach

Cranberry, Grey Goose Peach Liqueur, Triple Sec

Lime Juice, Cranberry Juice

Drink your Heart Out

Eli's Berry Margarita with a Bittering Chambaza Heart

Jack on the Spot

Jack Pine, Ginger Beer, Pineapple Juice

Sparks Sisters

Pink Whiskey, Vodka, Watermelon, Fruit, Lemonade & Pin

Pop Rock and Drop It

Cranberry Infused Ice Tea, Vodka, Watermelon, Truly
served with an orange slice dipped in pop rocks

APPETIZERS

Kale Caesar
Chickpea Salad
Fish Dip
Clam Chowder

SANDWICHES

Hummus Wrap
Turkey Wrap
Jumbo Lobster Roll
Hand Carved Roast Beef Sandwich

Coffee 'Til Cocktails

Affogato Martini- Absolut Vanilla Vodka, Kahlua, Hazelnut Liqueur & Fresh Espresso with a Scoop of Vanilla Ice Cream and a Drizzle of Caramel

After Eight: Bacardi Rum, Hot Chocolate, Peppermint & Vanilla Syrup

The Dirty Syd: Captain Morgan Spiced Rum, Salted Caramel, Fresh Espresso, Chai & Oat Milk

Espresso Martini- Absolut Vanilla Vodka, Kahlua, Irish Cream & Fresh Espresso, topped with 3 Espresso Beans, for Good Luck!

Game, Set Matcha!- Absolut Vanilla Vodka, Kahlua, Fresh Espresso, Vanilla Syrup & Matcha

Hot Toddy- A Lemon with Cloves Steeped in Hot water, Jameson Irish Whiskey & Honey

Irish Coffee- Jameson Irish Whiskey, Irish cream & Hot Coffee, Topped with Whipped Cream

Monkey Business- Jameson Irish Whiskey, Banana Liqueur, Chocolate & Vanilla Syrup, Fresh Espresso & Oat Milk

Morning Wood- Woodford Reserve & Freshly Brewed Peach Iced Tea

Perks of the Job- Bacardi Spiced Rum, Hot Coffee, Butterscotch Schnapps with Whipped Cream

Screwball Iced Coffee- Screwball Peanut Butter Whiskey & Cold Brew Coffee, Topped with Whipped Cream

Tropical Morning- Malibu Rum, Coconut Syrup, Iced Coffee & Almond Milk

Ultimate Mudslide- Absolut Vanilla Vodka, Irish Cream, a Scoop of Vanilla Ice Cream & a Drizzle of Hersheys Chocolate, Topped with Whipped Cream



Zachary Lenhart <zlenhart@portlandmaine.gov>

Porttown Public House - 123 Commercial - Class A

Eric Nevins <erich@portlandmaine.gov>

Mon, Jul 24, 2023 at 11:29 AM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Approved

On Fri, Jul 21, 2023 at 3:25 PM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513



Zachary Lenhart <zlenhart@portlandmaine.gov>

Porttown Public House - 123 Commercial - Class A

Zoning <zoning@portlandmaine.gov>

Wed, Jul 26, 2023 at 12:38 AM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericon@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Good Morning,

The legal use for the right side unit at 029 D001001, 123 Commercial ST, is bar. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on August 14, 2023 at 4:00 P.M., virtually 123CZ LLC, dba Porttown Public House. Application for Class I FSE at 129 Commercial Street - Sponsored by Anne McGuire, Acting City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



August 9, 2023

123CZ LLC
343 Commercial Street PH312
Boston, MA 02109

Re: 123CZ LLC, dba Porttown Public House. Application for Class I FSE at 129 Commercial Street

Dear 123CZ LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday August 14, 2023 at 4:00 p.m., for the review of application for Class I FSE at 129 Commercial Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on August 11, 2023.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): 123CZ LLC	Business Name (D/B/A): Porttown Public House
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 123 Commercial St. Portland, ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 343 Commercial St. PH312 Boston, MA 02109
Mailing address, if different from DBA address: 343 Commercial St. PH312 Boston, MA 02109	Email Address: porttownportland@gmail.com
Telephone # Fax #: 617-413-0048	Business Telephone # Fax #: 617-413-0048
Federal Tax Identification Number: 93-2139557	Maine Seller Certificate # or Sales Tax #: applied for
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☒ New Expected Start date: _____
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☐ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☒ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

123 Commercial St. Portland, ME 04101

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☐ Yes ☒ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Roger Zeghibe	8/30/62	Boston, MA

Residence address on all the above for previous 5 years

Name: Roger Zeghibe Address: 343 Commercial St R#312 Boston, MA 02109

Name: Address:

Name: Address:

Name: Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

RSB Limited Liability Company 123 Commercial St. Portland,
ME
04101

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Approx. 1,000 sq ft. featuring "L" shaped bar + seating area

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: St. Peter Parish

Distance: 30

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 7/12/23

Rogon W Zaghibe
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Rogon W Zaghibe
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

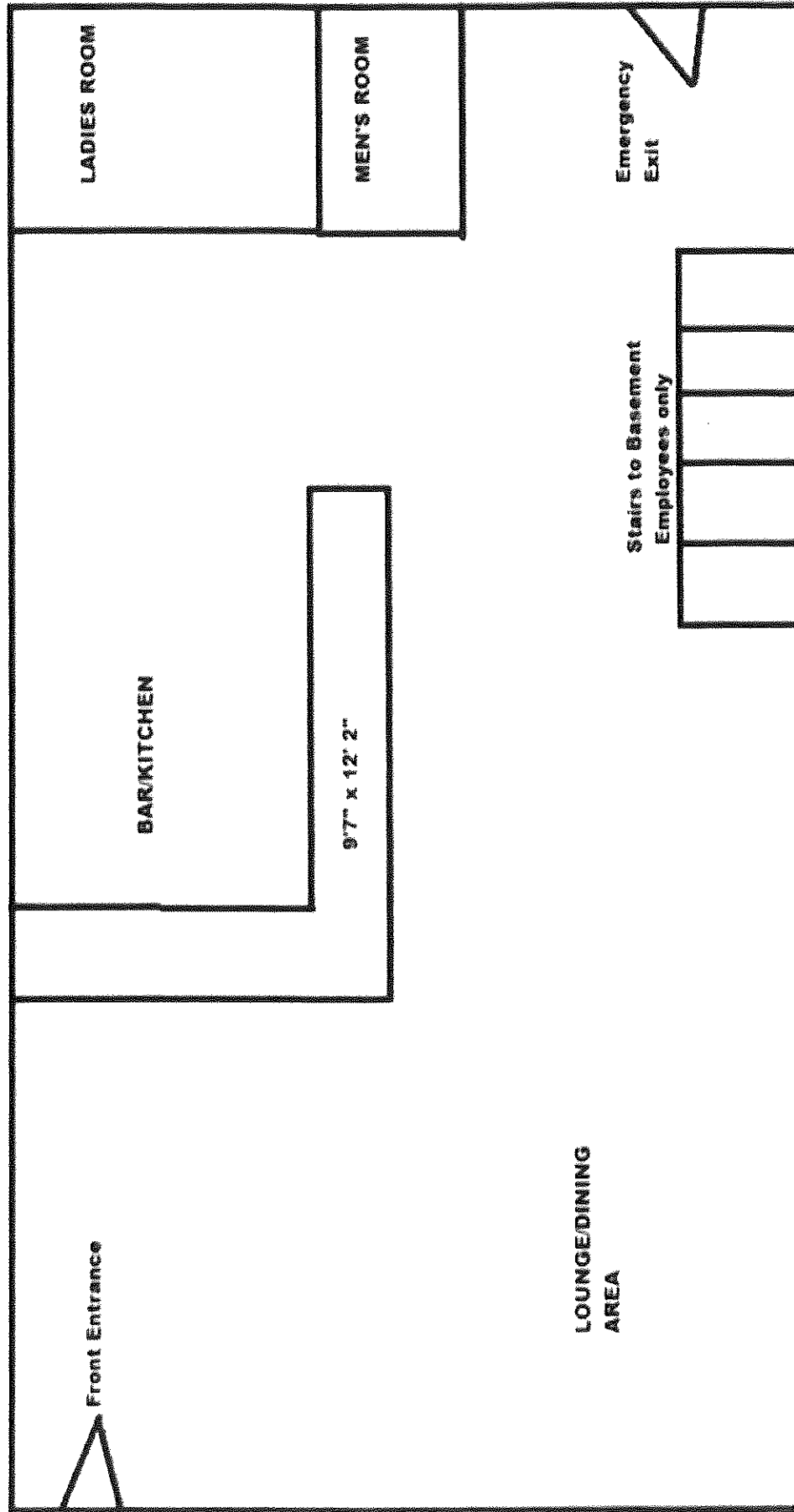
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

Please see attached.

123 Commercial St, Portland, ME, Business Assets For Sale

Portland, ME (Cumberland County)



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: 123 C2 LLC
2. Doing Business As, if any: Porttown Public House
3. Date of filing with Secretary of State: 7/5/23 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Roger Zeghibe	343 Commercial St. PH 312 Boston, MA 02109	8/30/62	Officer	100%

(Ownership in non-publicly traded companies must add up to 100%.)

MEMORANDUM
City Council Agenda Item

FROM:

DATE: July 31, 2023

SUBJECT: Order 17-23/24 Granting Municipal Officers' Approval of Good Wind LLC, dba Little Tap House. Application for Class I FSE with Outdoor Dining on Public Property at 106 High Street - Sponsored by Anne McGuire, Assistant City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 7/21/23. New City and State applications. Change of ownership and license class of existing establishment.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.08.14_Little Tap House
2. Little Tap House_Council Packet

Prepared by:

Date: 07/31/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

**Good Wind LLC, dba Little Tap House. Application for Class I FSE with Outdoor Dining
on Public Property at 106 High Street**

Tim Goodwin
280 Beech Ridge Rd
Scarborough, ME 04074

July 20, 2023

Mayor and Members of the City Council
Portland City Hall
389 Congress St
Portland, ME 04101

To Mayor and Members of the City Council,

I am writing to convey the intent of Good Wind LLC to run a full-service restaurant, which will serve both food and alcohol, called Little Tap House at 106 High St. We further intend to have an outdoor dining area on the public sidewalk on Spring St. This is an existing restaurant that is changing ownership on or about August 15th.

Tim Goodwin and Adam Goodwin are the sole principals of Good Wind LLC. We are in the process of filing for necessary permits and licenses with the City Business License Office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Tim Goodwin', written over a horizontal line.

Tim Goodwin



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Establishment Name (d/b/a):	LITTLE TAP HOUSE	Phone:	207 613 3140
Location Address:	106 HIGH ST	Zip:	04101
If new, what was formerly at this location:			
Mailing Address:	280 BEECH RIDGE RD SCARBOROUGH	Zip:	04074
Contact Person:	Tim Goodwin	Phone:	207 807 0772
Contact Person Email:	thg0724@gmail.com		
Manager of Establishment:	Tim Goodwin	Date of Birth:	7/24/67
		Phone:	207 807 0772
Owner of Premises (Landlord):	m2bm LLC		
Address of Premises Owner (Landlord):	199 FORBIDE RD FALMOUTH ME	Zip:	04105

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
GOOD WIND LLC		280 BEECH RIDGE RD SCARBOROUGH 04074	
Contact Person:	Tim Goodwin	Phone:	207 807 0772
Principal Officers	Title	Date of Birth	Residence Address
Tim Goodwin	OWNER	7/24/67	280 BEECH RIDGE RD SCARBOROUGH
Adam Goodwin	OWNER	3/14/98	280 BEECH RIDGE RD SCARBOROUGH
Class of Liquor License:		RESTAURANT CLASS B	



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	<u>BISTRO FOOD</u>	
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> <u>Liquor</u>	
Projected percentage of sales:	Generated from Food: <u>70</u>	Generated from Alcohol: <u>30</u>
Hours & days of operation:	<u>TUESDAY - SATURDAY</u> <u>4:00-9:00</u>	
QUESTIONS		Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?		<u>Y</u> <u>N</u>
If No, please explain:		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?		<u>Y</u> <u>N</u>
If yes, give the distance:		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)		<u>Y</u> <u>N</u>
Will you permit dancing after 1:00 a.m.?		<u>Y</u> <u>N</u>
Will you have outside dining? (If yes, an Outdoor Dining Application is required)		<u>Y</u> <u>N</u>
If yes, will the outside dining be on <u>PUBLIC</u> or PRIVATE property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?		<u>Y</u> <u>N</u>
If yes, please list: # of amusements: _____ # of pool tables: _____		
What is your targeted opening date? <u>SEPTEMBER AUGUST 15, 2023</u>		
Does the Issuance of this license directly or indirectly benefit any City employee(s)?		<u>Y</u> <u>N</u>
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?		<u>Y</u> <u>N</u>
If Yes, please list business name(s) and location(s):		
Is any principal officer under the age of 21?		<u>Y</u> <u>N</u>
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?		<u>Y</u> <u>N</u>
If Yes, please explain:		

I TIM GOODMAN do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature TJH Title Owner Date 7/19/23

LITTLE TAP HOUSE

106 HIGH STREET | PORTLAND, ME | @LITTLETAPHOUSE

// SHARES

BANGS ISLAND MUSSELS

CHEF'S DAILY PREPARATION 18

SOFT PRETZELS

HOUSEMADE BEER CHEESE FONDUE 14

FRESNO QUESO DIP

FRESH CORN TORTILLA CHIPS 13

WINGS

CHOICE OF STYLE : JERK / THAI CHILI / OR / BUFFALO 15

BRUSSELS SPROUTS

FRIED / GARLIC SAUCE / SHAVED PARMESAN 15

HUMMUS

HOUSEMADE / ROASTED GARLIC / NAAN 14

// SOUP & SALADS

SEASONAL SOUP MP

BUTTER LETTUCE SALAD

GOATS CHEESE / CHIVES / TOMATO / LEMON VINAIGRETTE 13

CAESAR SALAD

ROMAINE / CROUTON / SHAVED PARMESAN / ANCHOVY 14

// MAINS

STEAK FRITES *

LOCAL HANGER STEAK / FRIES / HOUSE STEAK SAUCE 34

LOBSTER MAC & CHEESE

CAVATAPPI / CHEDDAR / PARMESAN / FRESH PICKED MAINE LOBSTER 35

FISH & CHIPS

CRISPY BATTERED HAKE / COLESLAW / FRIES / TARTAR SAUCE 27

TAP HOUSE BURGER

DOUBLE SMASH PATTY / CHEDDAR / TOMATO CONFIT / BLACK GARLIC AIOLI /
LETTUCE / PICKLED ONION / FRIES 20

LOBSTER ROLL

NEW ENGLAND STYLE / AIOLI / TOASTED BUN / FRIES & COLESLAW 35

HAPPY HOUR 4-6PM DAILY! | \$6 HOUSE WINE, LOCAL DRAFT & WELL DRINKS

THIS RESTAURANT IS NOT AN ALLERGEN FREE ENVIRONMENT DUE TO HANDCRAFTED MENU ITEMS AND VARIATIONS IN VENDOR SUPPLY WE ARE NOT RESPONSIBLE FOR ANY ALLERGIC REACTIONS | PLEASE BE ADVISED THAT FOOD PREPARED HERE MAY CONTAIN: WHEAT, FISH, DAIRY, EGGS, SOY AND NUTS.

* CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS, ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS. *



CITY OF PORTLAND
Permitting and Inspections Department

**Outdoor Dining Permit on Public Property
Supplemental Application**

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License
Valid April 1-November 15

- ☒ Legal Advertisement Deposit \$100.00
- ☒ Outdoor Dining on Public Property \$84.00 plus \$2.00 per Square foot $\$2.00 \times 300 \text{ SF} = \$600 + \$84 = \684
- ☐ Outdoor Dining on Public Property in a City Park \$84.00 plus \$6.30 per Square foot $\$6.30 \times \text{SF} = \text{_____}$

Business Information	
Establishment Name (d/b/a):	LITTLE TAP HOUSE Phone: 207 613 3140
Location Address:	100 HIGH ST Zip: 04101
Mailing Address:	280 BEECH RIDGE RD SCARBOROUGH 04074 Zip:
Contact Person:	Tim Goodwin Phone: 207 807 0772
Contact Person Email:	thg0724@gmail.com
Manager of Establishment:	Tim Goodwin Date of Birth: 7/24/67 Phone: 207 807 0772
Owner of Premises (Landlord):	M2BM LLC
Address of Premises Owner (Landlord):	199 FORESIDE RD FALMOUTH Zip: 04103

Owner Information

Corporate Name		Corporate Mailing Address	
GOODWIN LLC		280 BEECH RIDGE RD SCARBOROUGH 04074 Zip:	
Contact Person:	Tim Goodwin	Phone:	207 807 0772
Principal Officers	Title	Date of Birth	Residence Address
TIM GOODWIN	OWNER	7/24/67	280 BEECH RIDGE RD SCARBOROUGH 04074
ADAM GOODWIN	OWNER	3/11/98	04074

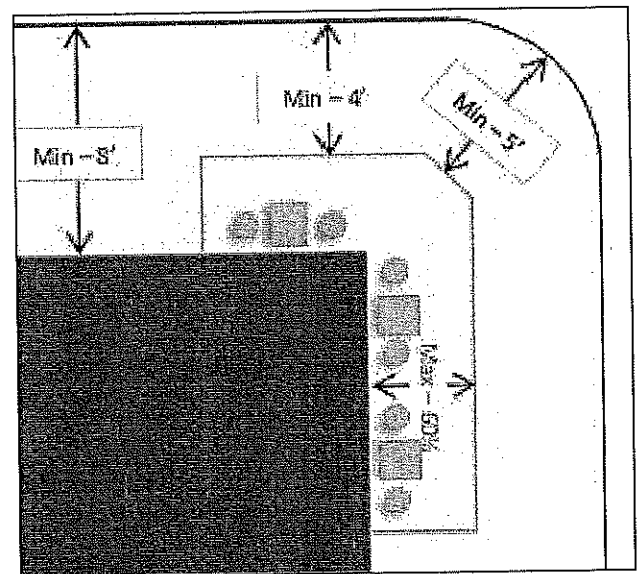


CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	
Type of food served:	BISTRO
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> <u>Liquor</u>
Hours & days of operation:	4:00-9:00 TUESDAY - SATURDAY
Number of Tables	6
Number of Chairs	20

Design and Construction

Existing Sidewalk Width (property line to curb)	Sidewalk Dining Allowed?
< 8'0"	No
≥ 8'0"	Yes – up to 60% of
Sidewalk Type	Sidewalk Passage Width
Standard sidewalk	4'0"
Street corner	5'0"

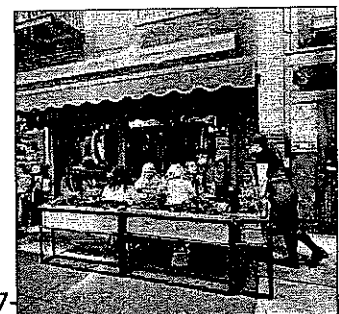
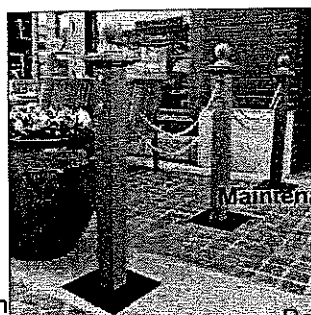


- Outdoor dining area shall not exceed 60% of the sidewalk width.
- A continuous, unobstructed sidewalk passage of 4 feet from the outer boundary of the seating area to the curb must be maintained. If the passage is not straight due to existing obstacles, then additional width may be required. Any changes to existing straight passage is at the discretion of the City.
- Egress must be maintained free of obstruction.
- Permanent fixtures, such as awnings, require a building permit separate from the Outdoor Dining permit and subject to approval by the Building Authority.
- Umbrellas do not require a permit.
- Umbrellas must be secured and maintain the height clearance for sidewalk passage.

Barriers

- If barriers are proposed, they must be free-standing. Physical attachments to a building are not allowed.
- Stanchions and ropes are encouraged. Sectional fencing is allowed with a high degree of visual transparency (at least 50% open). Solid or opaque barriers are not allowed.
- Shall not exceed 42" in height and may not include commercial signage.

Example barrier types that meet regulation





CITY OF PORTLAND

Permitting and Inspections Department

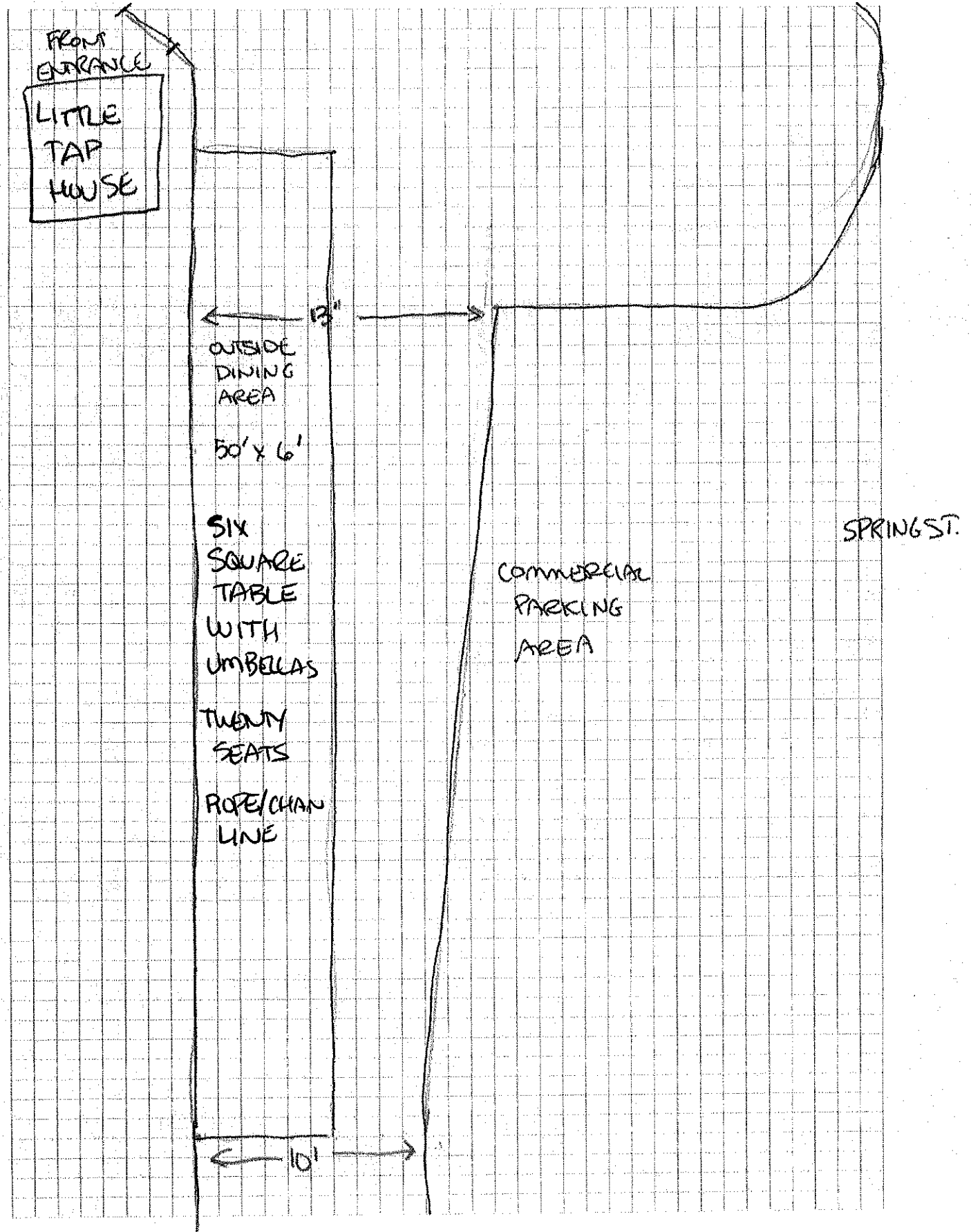
- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- The permit holder is responsible for keeping the outdoor seating area clean.
- No food shall be prepared in the designated outdoor dining area.
- All outdoor dining components shall be removed before snowfall and while any snow or ice exists within four feet of the outdoor dining area. The City will not be responsible for damage to any property that is not removed prior to sidewalk maintenance.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.
- Request for the use of adjacent on street parking space for outdoor dining installations requires Parking Office and Building Authority review and approval.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature WDA Title owner Date 7/10/23

For Administrative Use Only

Amount: _____	Request Date / Approval	Notes: _____
Date Paid: _____	FD: _____	_____
CC _____ CA _____ CK _____	Health: _____	_____
	PD: _____	_____
Amount: _____	Treasury: _____	_____
Date Paid: _____	Zoning: _____	_____
CC _____ CA _____ CK _____		







Zachary Lenhart <zlenhart@portlandmaine.gov>

Little Tap House - 106 High St - Class I FSE

Eric Nevins <erickn@portlandmaine.gov>

Tue, Jul 25, 2023 at 6:04 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Approved

On Tue, Jul 25, 2023 at 2:57 PM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513



Zachary Lenhart <zlenhart@portlandmaine.gov>

Little Tap House - 106 High St - Class I FSE

Zoning <zoning@portlandmaine.gov>

Wed, Jul 26, 2023 at 4:29 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erick@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Good Afternoon,

The legal use for the 1st floor of 106 High ST, CBL: 039 A037001 is restaurant/bar from BP#2012-65594. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on August 14, 2023 at 4:00 P.M., virtually Good Wind LLC, dba Little Tap House. Application for Class I FSE with Outdoor Dining on Public Property at 106 High Street - Sponsored by Anne McGuire, Acting City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



August 9, 2023

Good Wind LLC
280 Beech Ridge Road
Scarborough, ME 04074

Re: Good Wind LLC, dba Little Tap House. Application for Class I FSE with Outdoor Dining on Public Property at 106 High Street

Dear Good Wind LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday August 14, 2023 at 4:00 p.m., for the review of application for Class I FSE with Outdoor Dining on Public Property at 106 High Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on August 11, 2023.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): GOOD WIND LLC	Business Name (D/B/A): LITTLE TAP HOUSE
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 106 HIGH ST PORTLAND ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 200 BURN RIDGE RD SCARBOROUGH ME 04074
Mailing address, if different from DBA address:	Email Address: thg0724@gmail.com
Telephone # Fax #: 207 807 0772	Business Telephone # Fax #: 207 613 3140
Federal Tax Identification Number: 93-2426883	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: WWW.LITTLETAPHOUSE.COM

1. New license or renewal of existing license? ☒ New Expected Start date: **8/15/23**
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
- Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: **0**

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☒ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

106 HIGH ST PORTLAND ME 04101

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
TIMOTHY GOODWIN	7/24/67	POUGHKEEPSIE NY
ADAM GOODWIN	3/14/98	PORTLAND ME
Residence address on all the above for previous 5 years		
Name TIM GOODWIN	Address: 9 OAK HILL RD STANDISH ME 04084 280 BEECH RIDGE RD SCARBOROUGH ME 04074	
Name ADAM GOODWIN	Address: SAME AS ABOVE	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

M2BM LLC 199 FORESIDE RD FALMOUTH ME 04105

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

11 SEAT BAR, 6 HIGH TOP TABLES WITH THREE STOOLS EACH IN
FRONT ROOM; SMALL SIDE ROOM OPEN TO ABOVE WITH
THREE TABLES (8 SEATS); "BACK ROOM" ALSO OPEN TO
FRONT AREA WITH 8 TABLES & 26 SEATS.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: HOLY TRINITY

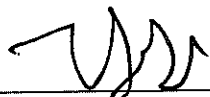
Distance: ABOUT 1000 FEET

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 7/24/23



Signature of Duly Authorized Person

Tim Goodwin

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

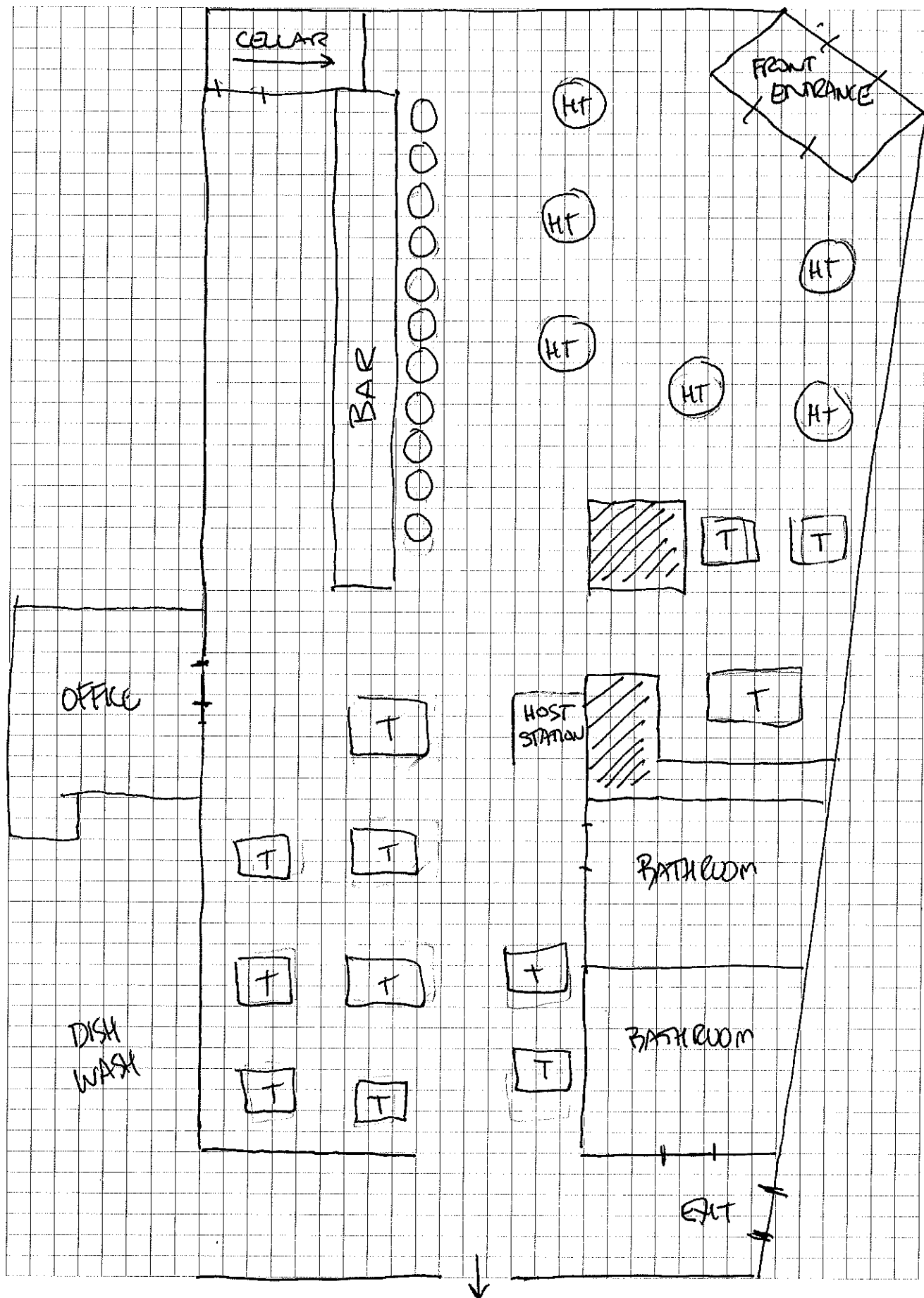
- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

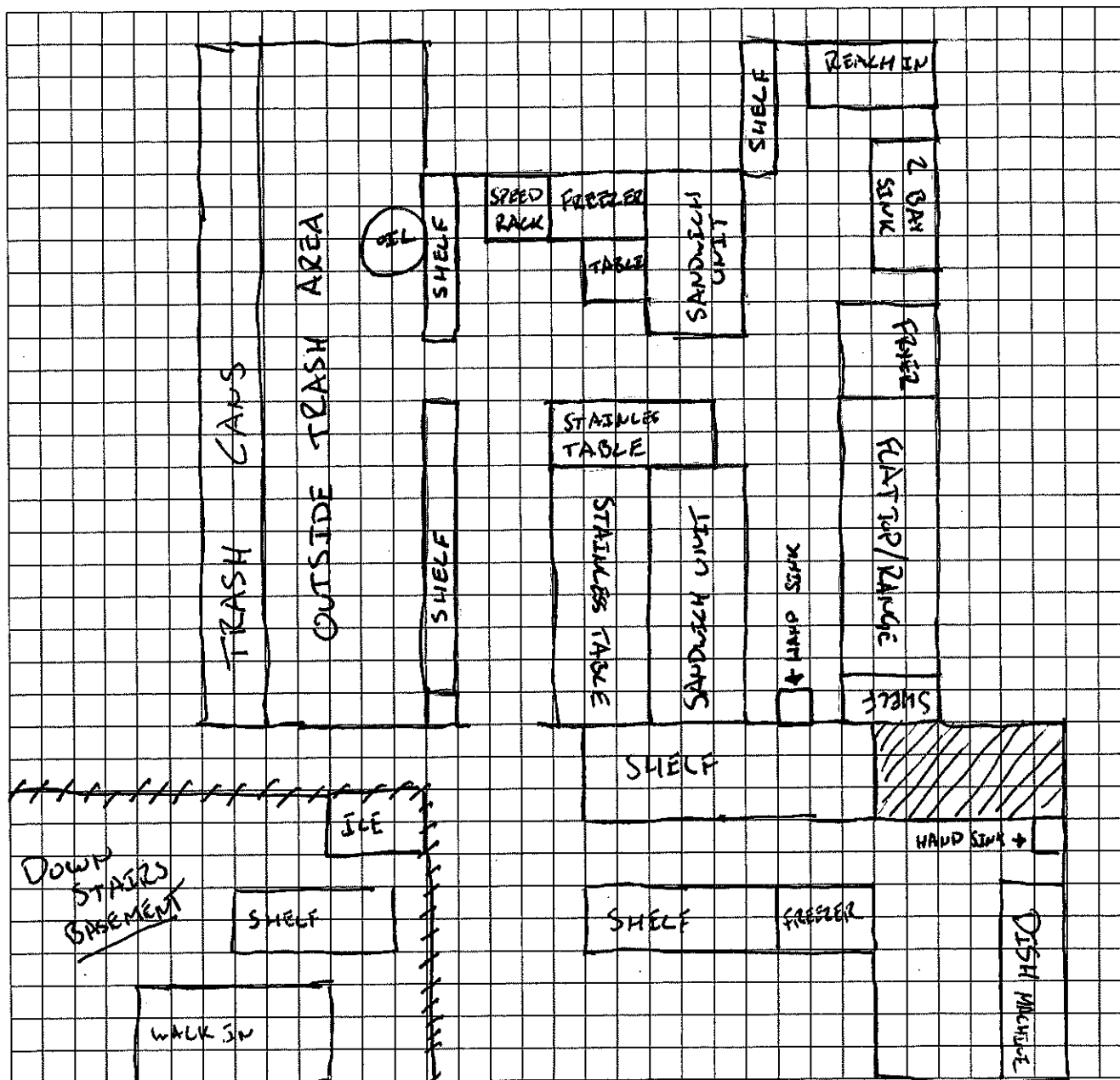
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00



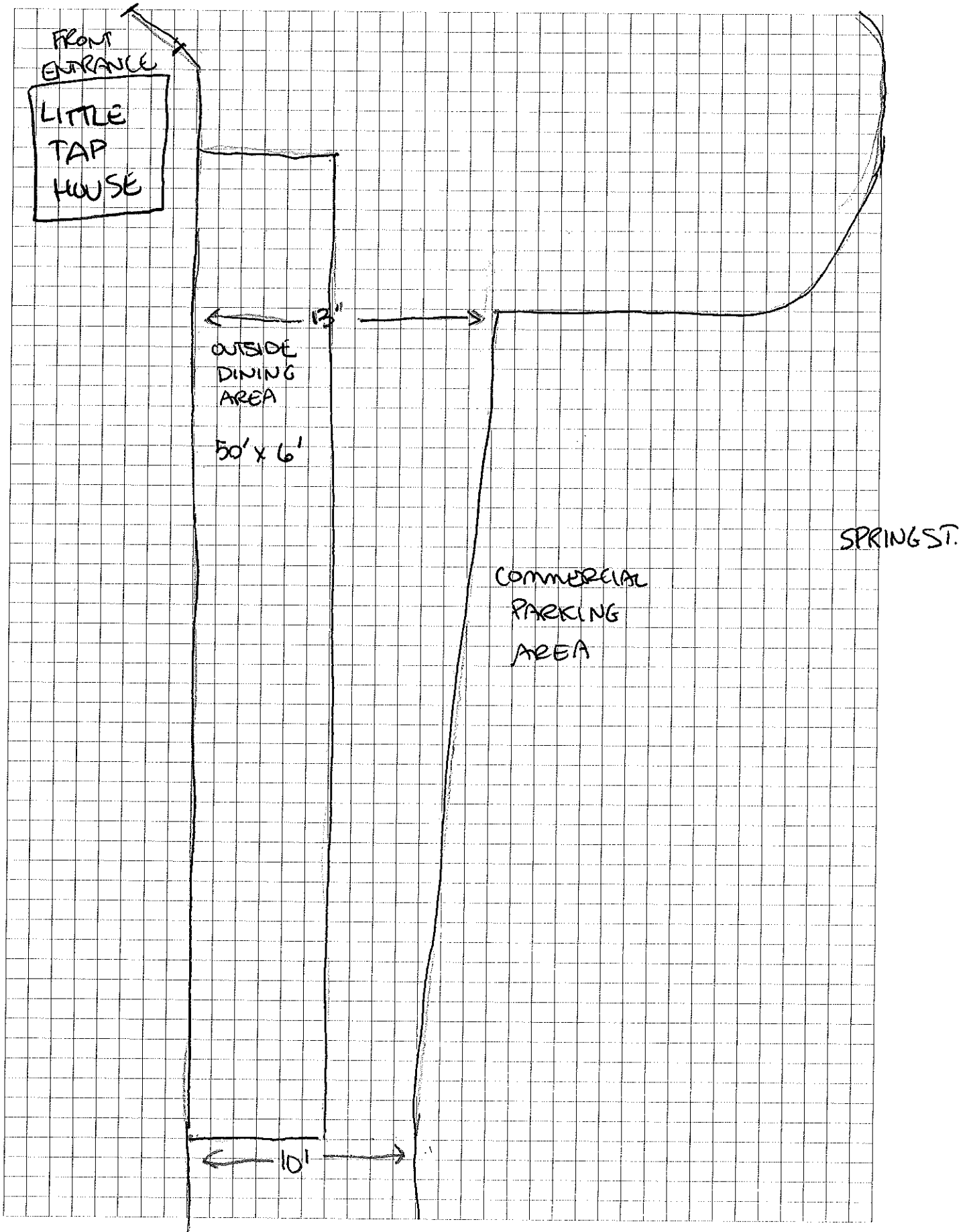
9. Kitchen or Food Preparation Area Plan:

Use this grid or a separate sheet of graph paper to draw a floor plan, or provide a floor plan prepared by a knowledgeable party, for eating place food preparation area(s)/kitchen(s). If the plan is not drawn to scale, the dimensions must be clearly labeled.



The floor plan should include the following items.

Sinks:	Toilet Facilities:	Refrigeration:	Facilities:
1. Hand Washing	1. Toilets	1. Walk-in Coolers	1. Food Preparation Areas
2. Ware Washing	2. Sinks	2. Walk-in Freezers	2. Food Storage Areas
3. Utility	3. Urinals	3. Freestanding Coolers	3. Trash/Refuse/Redemption Areas
4. Food Prep	4. Other	4. Freestanding Freezers	4. Dining Areas
5. Dipper Wells		5. Ice Maker	5. Equipment/Counters/Seats/Tables
6. Other		6. Other	6. Dry Storage/All Other Storage



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

- Exact legal name: GOOD WIND LLC
- Doing Business As, if any: LITTLE TAP HOUSE
- Date of filing with Secretary of State: 7/5/23 State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
TIM GOODWIN	280 BEECH RIDGE RD SCARBOROUGH 04074	7/24/67	Owner	50
	9 OAK HILL RD STANDISH 04084			
ADAM GOODWIN	280 BEECH RIDGE RD SCARBOROUGH 04074	3/14/98	Owner	50
	9 OAK HILL RD STANDISH 04084			

(Ownership in non-publicly traded companies must add up to 100%.)

MEMORANDUM
City Council Agenda Item

FROM:

DATE: July 31, 2023

SUBJECT: Order 18-23/24 Granting Municipal Officers' Approval of Maine Irish Heritage Center, dba Maine Irish Heritage Center. Application for Class III & IV with Indoor Entertainment at 34 Gray Street - Sponsored by Anne McGuire, Assistant City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: N/A

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 7/21/23. New City and State applications.

If passed, this order would also waive fees associated with these applications (currently totalling \$1,406.00, collected annually). According to Sec. 15-12.1 of City Code, "The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines that the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city." At the request of the applicant, staff have included a fee waiver as part of the order for the Council's consideration.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. waive-permit-fee-request
2. 2023.08.14_Maine Irish Heritage Center
3. Maine Irish Heritage Center_Council Packet

Prepared by:

Date: 07/31/2023

MAINE IRISH

HERITAGE CENTER

July 28, 2023

Mayor Kate Snyder
City Manager Danielle West
Councilor Anna Trevorow, District 1
Councilor Victoria Pelletier, District 2
Councilor Regina Phillips, District 3

Councilor Andrew Zarro, District 4
Councilor Mark Dion, District 5
Councilor Pious Ali, At-Large
Councilor April Fournier, At-Large
Councilor Roberto Rodriguez, At-Large

City of Portland, Maine
389 Congress Street
Portland, Maine 04101

Subject: Request to Waive Liquor and Entertainment Permit Fees for the Maine Irish Heritage Center

To the Honorable Mayor, Members of the Portland City Council, and City Manager,

I hope this letter finds you all well. **I am respectfully requesting the waiver of liquor and entertainment permit fees for the Maine Irish Heritage Center** under the provisions outlined in Sec. 15-12.1 of the city code. Our application is on the docket for the August 14th City Council Meeting.

As a valued nonprofit organization, the Maine Irish Heritage Center plays a pivotal role in preserving and promoting Irish heritage and culture in our community, enriching the lives of countless citizens, and providing a community center supporting other greater-Portland area nonprofits and civic organizations.

The Maine Irish Heritage Center has been a beacon of Irish culture and tradition in Portland for over 20 years. Before that, our iconic home was the Irish American heart of Portland, where St. Dominic's parish flourished for almost 200 years. Today, it stands tall as the westernmost landmark in Portland's skyline. It is a cherished space for events, activities, and educational programs that celebrate the history and contributions of the Irish community to our great city and a welcoming space for all immigrant communities. Throughout its existence, our dedicated volunteers have worked tirelessly to enhance our city's cultural diversity and foster a sense of unity among its residents.

The Center's commitment to the citizens of Portland is undeniable. Our events and activities are open to all, transcending age, ethnicity, and socioeconomic status, providing an inclusive space for all community members to come together and participate. By doing this, we strengthen the social fabric of our city and promote understanding and mutual respect among our diverse population.

Corner of Gray & State Street • PO Box 7588 • Portland, ME 04112-7588
207-780-0118 • maineirish@maineirish.com • www.maineirish.com

MAINE IRISH

HERITAGE CENTER

I want to bring attention to the charitable efforts of the Maine Irish Heritage Center. This organization has tirelessly organized numerous fundraisers, community projects, and charity events to assist those in need, support local causes, and positively impact the lives of our fellow citizens.

By way of an example, right now, we are producing a citywide film festival to honor John and Francis Ford, proud Irish American brothers from Portland who influenced filmmaking on the world stage (attached). We have brought together Portland Downtown, Creative Portland, Portland Media Center, Portland Museum of Art, and the State Theatre to share our John and Francis Ford Collection with as much of the community as possible. To make the festival events more accessible, we are hosting a free outdoor public screening of THE QUIET MAN in Monument Square on Saturday evening, August 20th. We are also soliciting donations of tickets for Opening Night at the State Theatre to share with residents of nonprofit independent and assisted living facilities like our neighbors at 75 State Street so they can enjoy a free nostalgic evening out.

The waived liquor and entertainment permit fees will enable the Center to allocate more resources towards these charitable and meaningful endeavors, magnifying their positive effects on the Portland community and beyond.

The spirit of Sec. 15-12.1 empowers the city council to waive fees for nonprofit organizations benefitting the citizens of Portland. The Maine Irish Heritage Center unquestionably meets the criteria for such consideration. The cultural, social, and philanthropic activities organized by the Center have a direct and profound effect on the well-being and enrichment of our community, aligning perfectly with the intent of the section mentioned above.

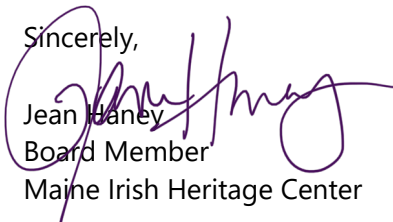
Sec. 15-12.1 emphasizes the city's recognition of nonprofit organizations' value to our community and their unique needs when organizing events and fundraisers.

In conclusion, I implore the Portland City Council and City Manager to seriously consider this request to waive the liquor and entertainment permit fees for the Maine Irish Heritage Center. Our receipt for payment made in advance is attached.

Doing so will not only strengthen the Center's ability to continue its invaluable work in preserving Irish heritage and promoting cultural understanding but also signify the city's unwavering commitment to supporting nonprofit organizations that have a direct, positive impact on our citizens' lives.

Thank you for your time, consideration, and commitment to fostering a vibrant and caring community. Please get in touch with me if you require further information or have any questions regarding this request.

Sincerely,



Jean Haney
Board Member
Maine Irish Heritage Center

INVOICE

CITY OF PORTLAND
LICENSING & REGISTRATION
389 Congress Street
Portland, Maine 04101
(207) 756-8131



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00085968	07/21/2023	08/20/2023	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
LL-005559-2023	Class III & IV	\$906.00
	Health Inspection New	\$150.00
	Indoor Entertainment	\$500.00
	Legal Advertisement Deposit	\$100.00
	New Application Fee	\$45.00
	SBI Background Check New	\$84.00
Maine Irish Heritage Center - 34 Gray St Portland, ME 04102		SUB TOTAL \$1,785.00

TOTAL **\$1,785.00**

BILLING CONTACT

MAINE IRISH HERITAGE CENTER
Po Box 7588
Portland, Me 04112

Make checks payable to the City of Portland, ATTN: Licensing & Registration, 389 Congress Street, Portland, ME 04101

City of Portland
Permitting & Inspections
389 Congress St
Portland, ME 04101
207 874-8490
Welcome

018819-0004 Alyssa W. 07/21/2023 11:41AM

INVOICE

MAINE IRISH HERITAGE CENTER	
LL-005559-2023	
2023	Item: INV-00085968
Class III & IV	906.00
New Application Fee	45.00
SBI Background Check	
New	84.00
Legal Advertisement	
Deposit	100.00
BL Cashier Health	
Inspection New	150.00
Indoor Entertainment	500.00

	1,785.00
Subtotal	1,785.00
Total	1,785.00
CHECK	1,785.00
Check Number 003538	

Change due	0.00

Paid by: MAINE IRISH HERITAGE CENTER

Thank you for your payment

City of Portland COPY
DUPLICATE RECEIPT

TICKETS ON SALE NOW!

JOHN AND FRANCIS FORD

FILM FESTIVAL

AUGUST 18 - 20

FORDFILMFESTIVAL.COM

STATE THEATRE • PORTLAND MUSEUM OF ART • PORTLAND MEDIA CENTER • PORTLAND DOWNTOWN • LINCOLN THEATER

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MAINE IRISH
HERITAGE CENTER



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- PORTLAND, MAINE -
THEATRE



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STATE
- PORTLAND, MAINE -
THEATRE



Lincoln Theater

FRIDAY AUG 18

Opening Night Reception for All Access Pass Holders and Friends of the Ford Festival at 5 PM. Doors open for general admission at 6 PM.

SCREENINGS

WHEN THE TABLES TURNED (1911)
WAGON MASTER (1950)



*Winner of Portland
Media Center's Silent
Film Contest awarded!*

SATURDAY AUG 19 / SUNDAY AUG 20

2-DAY Symposium with screenings, panel discussions, and Q&A with Joseph McBride, Kathy Fuller-Seeley, Scout Tafoya, Gerald Peary, Jonathan Cavallero, and Kevin Stoehr.

KEYNOTE ADDRESS: *Joseph McBride* - Film historian and *John Ford* biographer.

SCREENINGS

SAT: 7 WOMEN (1966) and *THE CRAVING* (1913)
SUN: MY DARLING CLEMENTINE (1946) and *THE TAKING* (2021)



FESTIVAL
TICKETS & INFO

SATURDAY NIGHT
FREE OUTDOOR SCREENING IN MONUMENT SQUARE!

**THE
Quiet Man**

SUNDAY AUG 20

Midcoast Matinee at the historic Lincoln Theater in Damariscotta with experts Joseph McBride and Kathy Fuller-Seeley.

SCREENINGS

THE POSTTELEGRAPHER (1912)
THE MAN WHO SHOT LIBERTY VALANCE (1962)

FUNDRAISER TO BENEFIT
MAINE IRISH
HERITAGE CENTER
PO BOX 7588, PORTLAND, ME 04112-7588

JOHN & FRANCIS
FORD

FILM FESTIVAL

AUGUST 18 - 20
PORTLAND, MAINE

NONPROFIT
U.S. POSTAGE
PAID
PORTLAND, ME
PERMIT #193

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:**

Maine Irish Heritage Center, dba Maine Irish Heritage Center. Application for Class III & IV with Indoor Entertainment at 34 Gray Street

MAINE IRISH

HERITAGE CENTER

July 21, 2023

Mayor Kate Snyder
Councilor Anna Trevorrow, District 1
Councilor Victoria Pelletier, District 2
Councilor Regina Phillips, District 3
Councilor Andrew Zarro, District 4
Councilor Mark Dion, District 5
Councilor Pious Ali, At-Large
Councilor April Fournier, At-Large
Councilor Roberto Rodriguez, At-Large

City of Portland, Maine
389 Congress Street
Portland, Maine 04101

Subject: Letter of Intent - Application for Class III/IV Liquor License

Dear City Councilors and Mayor,

I am writing on behalf of the Maine Irish Heritage Center, a registered 501(c)(3) nonprofit organization located in the heart of Portland, Maine at the corner of State and Gray Streets in what was once St. Dominic's Church. We would like to formally express our intent to apply for a Class III/IV Liquor License for our community center. As a prominent cultural center, we believe that this license will greatly enhance our ability to serve our community and fulfill our mission.

The Maine Irish Heritage Center has been dedicated to preserving and promoting Irish culture, heritage, and history since its inception. Our organization hosts a wide range of events, including cultural festivals, music concerts, art exhibitions, educational programs, and community gatherings. These activities attract a diverse audience, both Irish and non-Irish, fostering a sense of community and promoting cultural understanding and appreciation.

By obtaining a Class III/IV Liquor License, we aim to enhance the experience of our members, expand our revenue sources, and create a sustainable model that allows us to continue our important work in the community. Moreover, the proceeds generated from the sale of alcoholic beverages will directly support our ongoing operations and the implementation of future programming initiatives.

MAINE IRISH

HERITAGE CENTER

We understand the importance of adhering to the regulations and responsibilities associated with a liquor license. The Maine Irish Heritage Center is committed to maintaining a safe and responsible environment for our visitors and has implemented comprehensive policies and procedures to ensure compliance with all applicable laws and regulations. We will continue to prioritize the safety and well-being of our guests, including rigorous staff training on responsible alcohol service, monitoring consumption levels, and enforcing appropriate measures to prevent underage drinking.

We kindly request that the City Councilors and Mayor consider our application for a Class III/IV Liquor License favorably, recognizing the positive impact it will have on our organization and the broader community. We firmly believe that this license will allow us to enhance our programming, attract a wider audience, and further contribute to the cultural diversity and vitality of Portland.

Enclosed with this letter, you will find the necessary application forms, financial statements, and any additional supporting documentation required for our application.

Thank you for your time and attention to this matter. We greatly appreciate your support in our endeavor to serve the Portland community and preserve Irish Heritage across all of Maine. If you have any questions or require further information, please do not hesitate to contact me at (203) 536-6055.

Yours sincerely,



Jean Haney
Treasurer

Maine Irish Heritage Center



CITY OF PORTLAND

Permitting and Inspections Department

Application for ~~Food Service Establishment~~ with Alcoholic Beverages License

Business Information	
Establishment Name (d/b/a):	MAINE IRISH HERITAGE CENTER Phone:
Location Address:	34 GRAY STREET, PORTLAND, ME 04102 Zip:
If new, what was formerly at this location:	_____
Mailing Address:	PO BOX 7588, PORTLAND, ME 04112-7588 Zip:
Contact Person:	JEAN HANEY 203-536-6055 Phone: 203-536-6055
Contact Person Email:	jean@maineirish.com
Manager of Establishment:	JAMES MCCLAY Date of Birth: 8-19-83 Phone: 207-409-4275
Owner of Premises (Landlord):	MAINE IRISH HERITAGE CENTER
Address of Premises Owner (Landlord):	34 GRAY ST. PORTLAND, ME 04102 Zip:

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate Name	Corporate Mailing Address
MAINE IRISH HERITAGE CENTER	PO BOX 7588 Zip: PORTLAND ME 04112

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Contact Person:	JEAN HANEY		Phone:	203 780 0118
Principal Officers	Title	Date of Birth	Residence Address	
JAMES MCCLAY	CHAIR	8-19-83	12 HUMMINGBIRD LN, STEEP FALLS ME 04085	
JEAN HANEY	TREASURER	8-18-60	57 CLARK ST #2, PORTLAND 04102	
ANN O'HAGAN	SECRETARY	6-10-62	15 WALTON ST #2, PORTLAND 04103	
PARNEU TERRY	VICE CHAIR	6-25-67	9 LOMBARD ST. GORHAM, 04038	
Class of Liquor License:		BVI/AV		

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



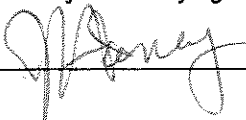
CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	SNACKS	
Please circle all that will be served:	☒ Beer ☒ Wine ☐ Liquor	
Projected percentage of sales:	Generated from Food: —	Generated from Alcohol: 100%
Hours & days of operation:	EVENT BASED, TYPICALLY 3-5x PER MONTH - 7PM - 10PM	
QUESTIONS		
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?		Y/N ☒
If No, please explain: FULL COURSE MEALS NOT REQUIRED. SNACKS WILL BE AVAILABLE.		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?		Y/N ☒
If yes, give the distance: NOT L 300 FEET. REICHE COMMUNITY SCHOOL IS .25 MILES.		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)		Y/N ☒
Will you permit dancing after 1:00 a.m.?		Y/N ☒
Will you have outside dining? (If yes, an Outdoor Dining Application is required)		Y/N ☒
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?		Y/N ☒
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____		
What is your targeted opening date?		9/1/23
Does the Issuance of this license directly or indirectly benefit any City employee(s)?		Y/N ☒
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?		Y/N ☒
If Yes, please list business name(s) and location(s):		
Is any principal officer under the age of 21?		Y/N ☒
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?		Y/N ☒
If Yes, please explain: J. McCAY, OUI, 2016, PARNEW TERRY OUI 1988		

I JEAN HANEY do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature  Title TREASURER Date 7/3/21

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov

MAINE IRISH HERITAGE CENTER

MENU

- CHIPS (potato chips, fribs, Doritos, pretzels)
- ENERGY BARS
- CANDY
- Cookies
- WATER
- COFFEE / Tea
- SOFT DRINKS (coke, diet coke, orange, Sprite)

Additional special snacks may be available from time to time. All ^{pre-}prepared or packaged. MHC ~~does~~ not have a commercial kitchen on site and will not be making anything in-house.

Example: packaged soda bread, cookies
and other home-baked, packaged snacks.

CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00	☐ Outdoor Entertainment \$700.00	☐ Combined Entertainment \$800.00
☐ Sound Mitigation Fee \$150.00		

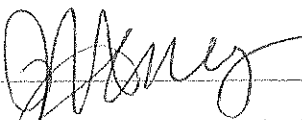
Business Information			
Establishment Name (d/b/a):	MAINE IRISH HERITAGE CENTER	Phone:	207 780-0118
Location Address:	34 GRAY ST, PORTLAND, ME	Zip:	04102
Owner Name:	MAINE IRISH HERITAGE CENTER	Phone:	207 780-0118
Owner Email:	maineIrish@maineIrish.com		
Contact Person responsible for Entertainment:	JEAN HANEY	Phone:	203 536-6055
Contact Person Email:	jean@maineIrish.com		
Manager of Establishment:	JAMES M'CLAY	Phone:	207 409-4295
Manager Email:	jmccclay@maineIrish.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

THE MAINE IRISH HERITAGE CENTER IS DEDICATED TO PRESERVING AND PROMOTING IRISH CULTURE, HERITAGE, AND HISTORY. WE HOST A WIDE RANGE OF EVENTS, INCLUDING CULTURAL FESTIVALS, MUSIC CONCERTS, ART EXHIBITIONS, EDUCATIONAL PROGRAMS, AND COMMUNITY GATHERINGS. THE ACTIVITIES ATTRACT A DIVERSE AUDIENCE, BOTH IRISH + NON-IRISH.

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation, if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

Signature  Title TREASURER Date 7/3/2023

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Maine Irish Heritage Center

Audio Mitigation Policy

SANCTUARY LEVEL SYSTEM - Diagram attached

YAMAHA 12 channel A/V mixer

4 Seismic Audio 15" full range loudspeakers; each pair can be individually controlled +/- or muted

The two speakers located by the stage are the only speakers used for the vast majority of events

1 Crown 1200 watt amplifier

Removable, not permanently installed

LOWER LEVEL SYSTEM - Diagram attached

SONY 10 Channel 300 watt powered A/V mixer

2 Seismic Audio 12" full range loudspeakers

Removable, not permanently installed

AUDIO MITIGATION POLICY

We are a community organization, located in a residential area of Portland.

We are extremely mindful of not disturbing our neighbors.

Both sound systems are set up and operated so not to be heard outside of the building.

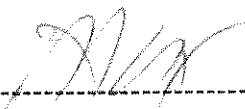
The building's two foot thick exterior walls help to prevent audio from being heard outside during events

Sound systems primary uses are for spoken word vocals and background music

Sound systems are monitored at all times while in use.

Periodic checks of the building's exterior are conducted as needed

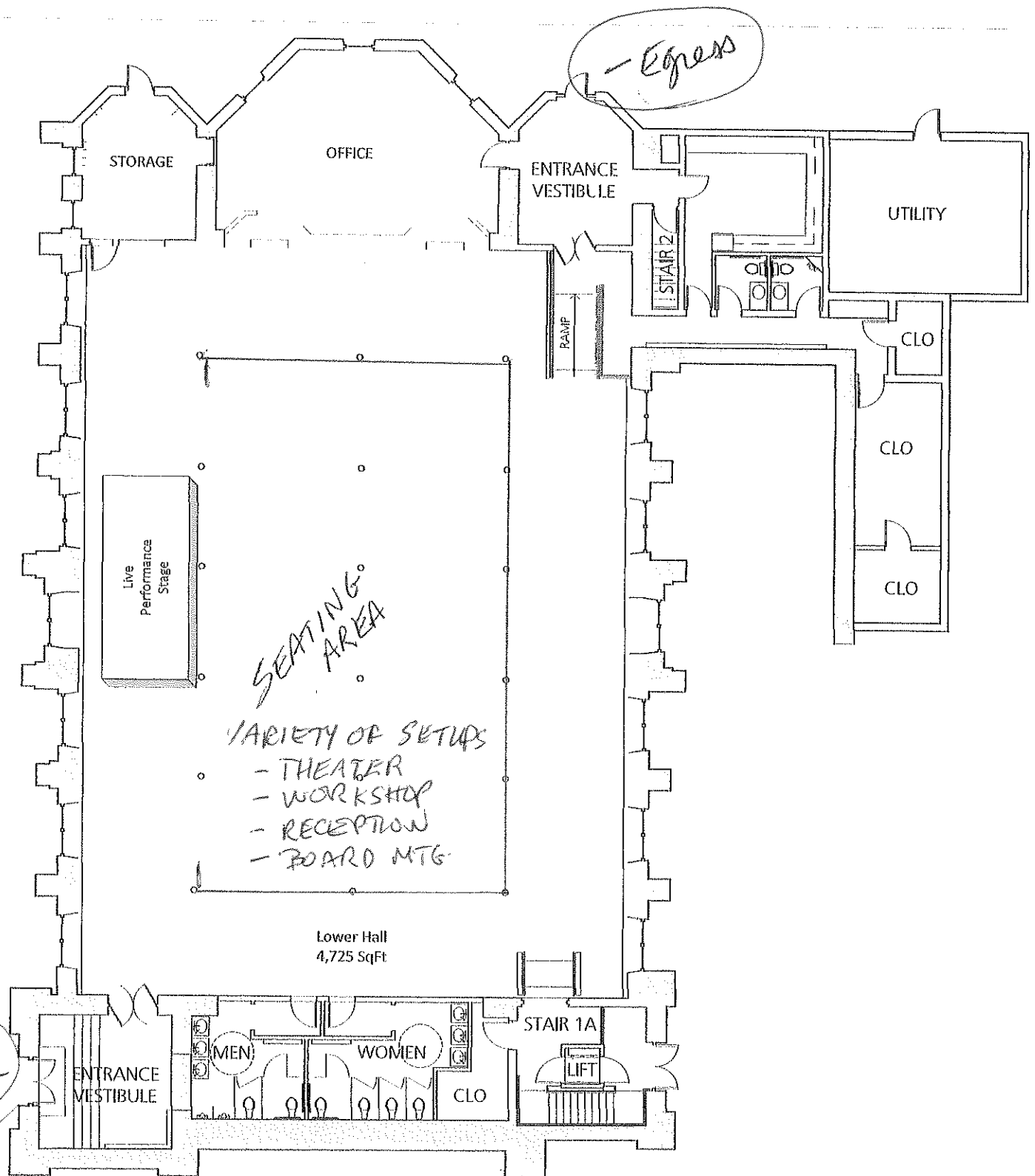
This document was prepared by the MIHC house audio engineer



Dan Mahoney

07-10-2023

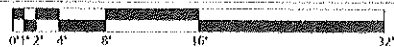
Date



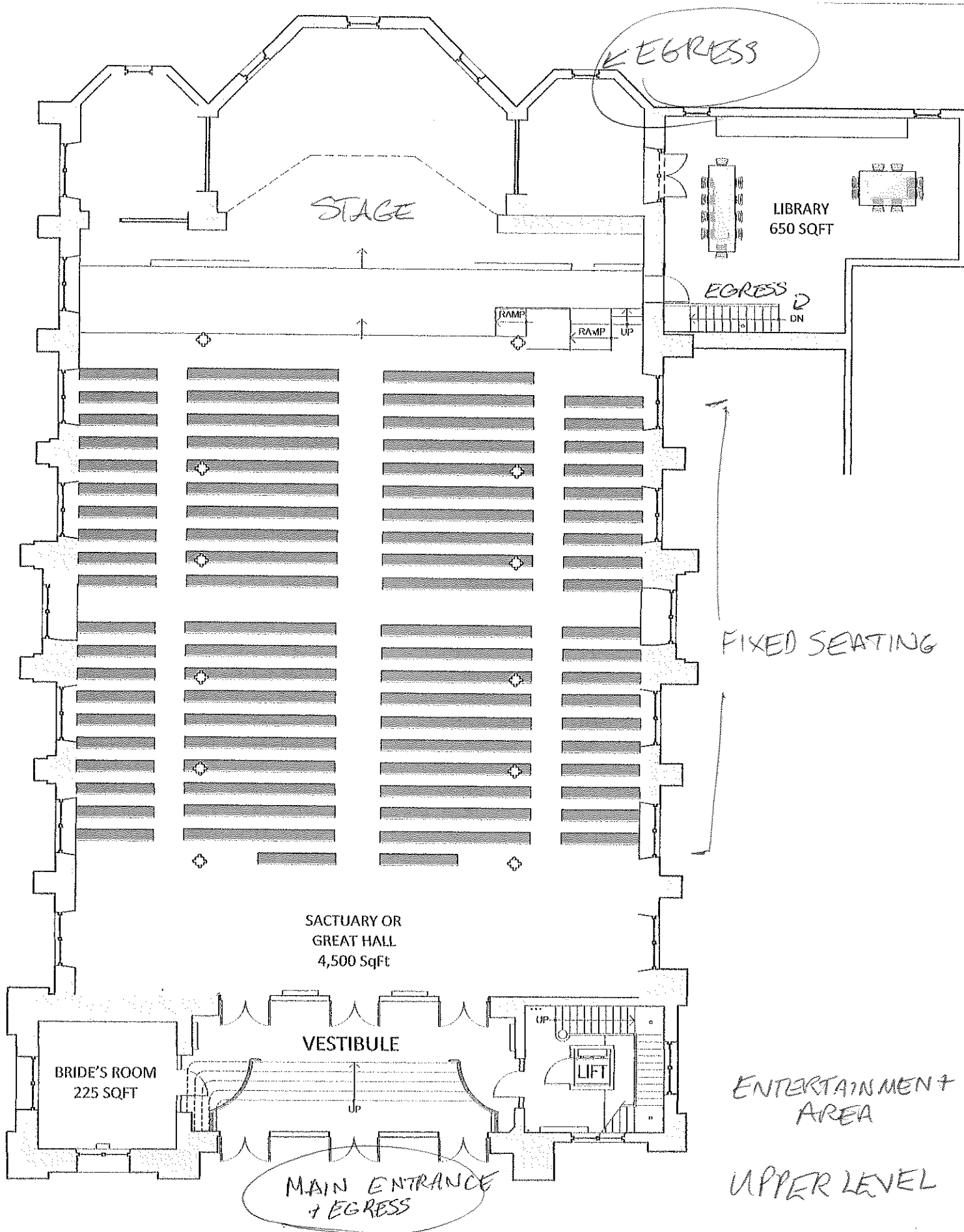
1
A101

LOWER LEVEL PLAN

SCALE: 1/16"=1'-0"



ENTERTAINMENT
AREA
LOWER LEVEL

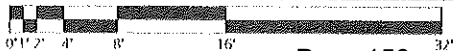


1

SANCTUARY LEVEL PLAN

A102

SCALE: 1/16"=1'-0"





Zachary Lenhart <zlenhart@portlandmaine.gov>

Maine Irish Center - 34 Gray - Class III/IV

Eric Nevins <erich@portlandmaine.gov>

Mon, Jul 24, 2023 at 10:40 AM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Approved

On Fri, Jul 21, 2023 at 3:45 PM Zachary Lenhart <zlenhart@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

Maine Irish Center - 34 Gray - Class III/IV

Zoning <zoning@portlandmaine.gov>

Fri, Jul 28, 2023 at 9:34 AM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <ericn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>

Good Morning,

After looking at the definitions for Private club, Community Hall and Neighborhood Center, Zoning has determined that there is no mention of beverages in any of the definitions and licenses have been permitted for private clubs and should be allowed for other institutional, place of assembly uses. Please add condition:

Zoning is approving this license with the understanding that beer and wine will only be available to members of and for events hosted by the Maine Irish Heritage Center. This is not authorizing Bar or Restaurant as a use for this property.

Zach, please let me know if you see any issues with the wording of the condition.

Please let me know if you have any questions.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

On Friday, July 21, 2023 at 3:45:41 PM UTC-4 Zachary Lenhart wrote:

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on August 14, 2023 at 4:00 P.M., virtually Maine Irish Heritage Center, dba Maine Irish Heritage Center. Application for Class III & IV with Indoor Entertainment at 34 Gray Street - Sponsored by Anne McGuire, Acting City Manager

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



August 9, 2023

Maine Irish Heritage Center
34 Gray Street
Portland, ME 04102

Re: Maine Irish Heritage Center, dba Maine Irish Heritage Center. Application for Class III & IV with Indoor Entertainment at 34 Gray Street

Dear Maine Irish Heritage Center:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday August 14, 2023 at 4:00 p.m., for the review of application for Class III & IV with Indoor Entertainment at 34 Gray Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on August 11, 2023.

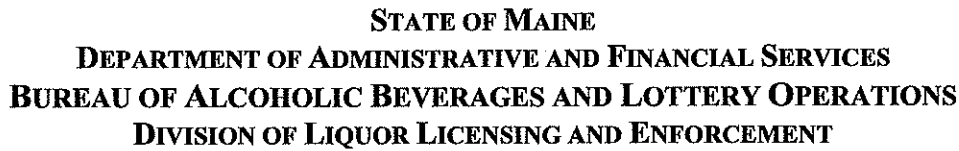
You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Z Lenhert".

Zachary J. Lenhert
Licensing and Housing Safety Manager



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
MAINE IRISH HERITAGE CENTER	MAINE IRISH HERITAGE CENTER
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
	34 GRAY STREET, PORTLAND, ME 04102
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
	PO BOX 7588, PORTLAND, ME 04112-7588
Mailing address, if different from DBA address:	Email Address:
PO BOX 7588, PORTLAND, ME 04112-7588	maineirish@maineirish.com
Telephone # Fax #:	Business Telephone # Fax #:
207-780-0118	207-780-0118
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
81-0546468	1046-5348
Retail Beverage Alcohol Dealers Permit:	Website address:
	https://maineirish.com

1. New license or renewal of existing license? ☒ New Expected Start date: 09/01/2023
☐ Renewal Expiration Date: 09/01/2024
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| ☐ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☒ Other: <u>PERFORMING ARTS CENTER III/IV</u> | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

34 Gray Street, Portland, ME 04102

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
James McClay	08/19/1983	Ireland
Jean Haney	08/18/1960	Brooklyn, NY
Ann O'Hagan	06/10/1196	Dearborn, MI
Parnell Terry	06/25/1967	Fort Riley, KS

Residence address on all the above for previous 5 years

Name Address:
James McClay - 12 Hummingbird Lane, Steep Falls, ME 04085 > 5ys

Name Address:
Jean Haney - 57 Clark St #2, Portland, ME 04102 > 5 yrs

Name Address:
Ann O'Hagan - 15 Walton St #2, Portland, ME 04103 > 5 yrs

Name Address:
Parnell Terry - 9 Lombard St, Gorham, ME 04038 > 5 yrs

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☒ Yes ☐ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: James McClay Date of Conviction: 2016

Offense: OUI Location: Portland, ME

Disposition: No Contest

Name: Parnell Terry Date: 1998 Offense: OUI Location: Orono, ME Disposition: No Contest

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The Maine Irish Heritage Center has four spaces where alcohol may be served. On the lower level, we have a function room which regularly hosts receptions, parties, anniversary parties, concerts, workshops, corporate events and private parties. On the upper level, alcohol may be served in the Brides Room, Library and Sanctuary during weddings and concerts. See floor plan for locations.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Reiche Community School

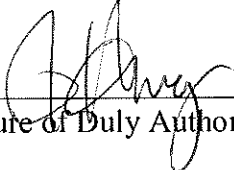
Distance: .25 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

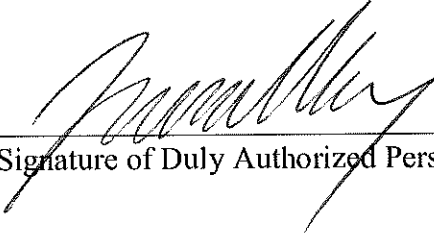
Please sign and date in blue ink.

Dated: 07/03/2023



Signature of Duly Authorized Person

Jean Haney, Treasurer
Printed Name Duly Authorized Person



Signature of Duly Authorized Person

James McClay, Board Chair
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

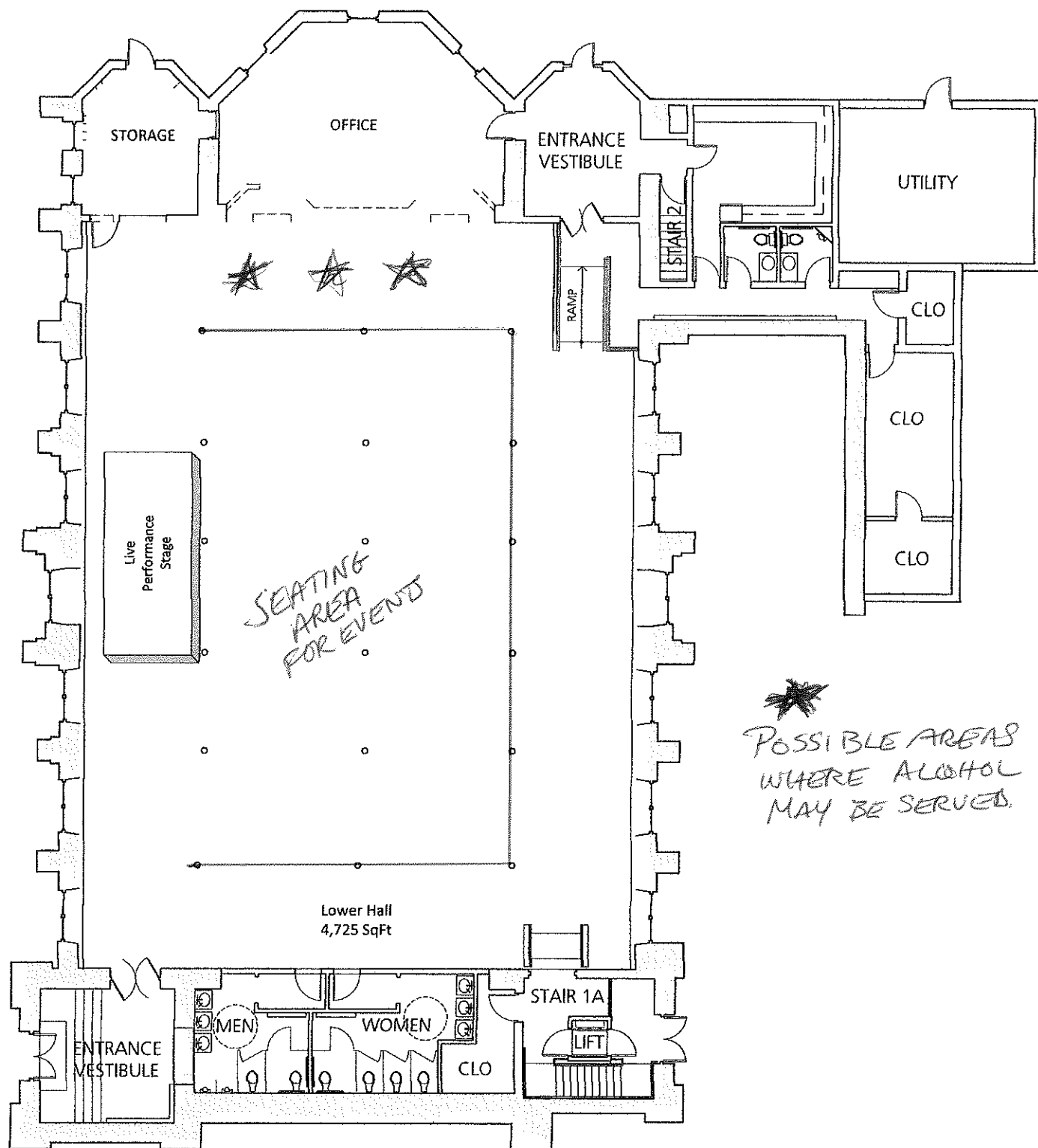
Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

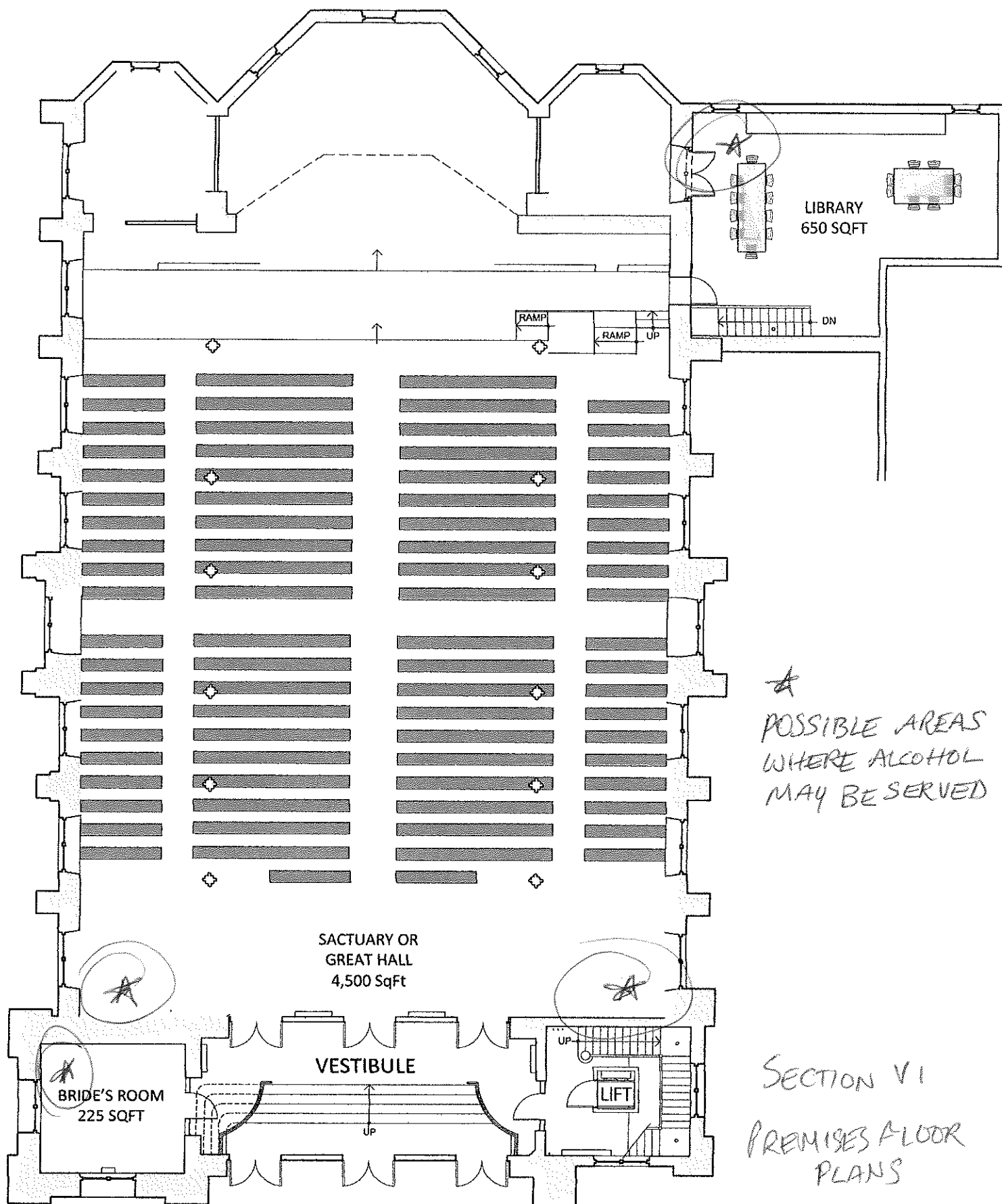
See following floor-plans-

- Lower Level
- Upper Level



SECTION V I
PREMISES FLOOR PLANS
LOWER LEVEL

1	LOWER LEVEL PLAN
A101	SCALE: 1/16"=1'-0" 



★
POSSIBLE AREAS
WHERE ALCOHOL
MAY BE SERVED

SECTION VI
PREMISES FLOOR
PLANS
UPPER LEVEL

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

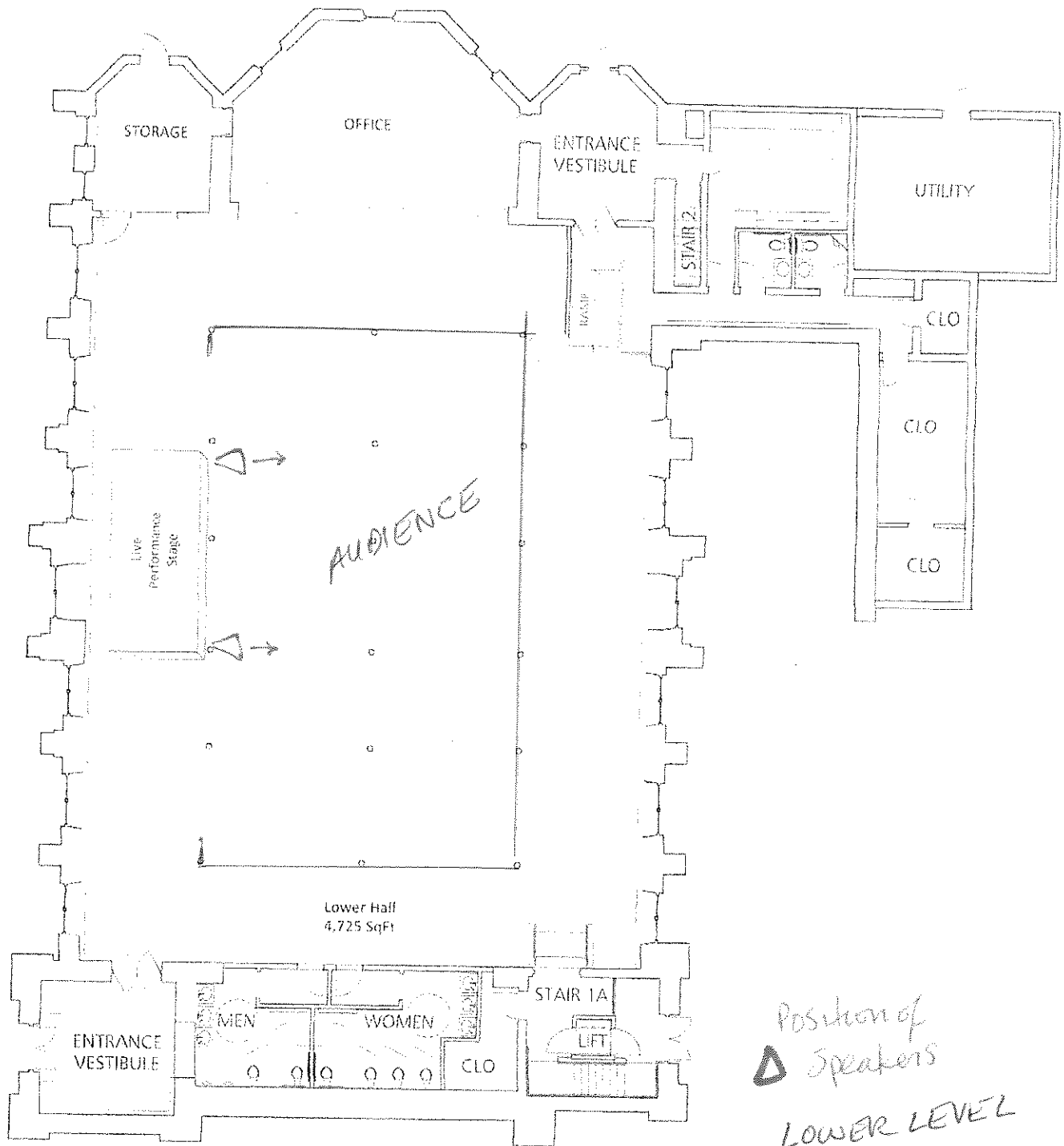
1. Exact legal name: Maine Irish Heritage Center - 501(c)3 Non Profit Organization
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 05/04/2006 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
James McClay	12 Hummingbird Lane, Steep Falls	¹⁹⁸³ 08/19/2093	Chair	0.0000
Jean Haney	57 Clark St. #2, Portland, ME 0410	08/18/1960	Treasurer	0.0000
Ann O'Hagen	15 Walton St. #2, Portland, ME 04	06/10/1962	Secretary	0.0000
Parnell Terry	9 Lombard St., Gorham, ME 0403	06/25/1967	Vice Chair	0.0000

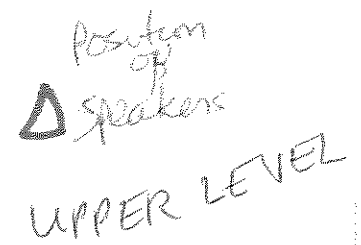
(Ownership in non-publicly traded companies must add up to 100%.)

STATE STREET



Position of
 Δ Speakers
 LOWER LEVEL

1 LOWER LEVEL PLAN
 A101 SCALE: 1/16" = 1'-0"



SANCTUARY LEVEL PLAN

SCALE: 1/16"=1'-0"

Introduction

This is the second annual report to the City Council regarding progress in eliminating the use of fossil fuels in the built environment. Chapter 6 of the City Code requires this office to report on buildings built without fossil fuels and a survey of technologies that have been implemented as alternatives to fossil fuels. We are also required to assess the benefits of this policy, survey legislation at the state and municipal level, and note changes to City code that might further reduce the use of fossil fuels.

Buildings built without reliance on fossil fuel infrastructure

As far as we can tell, the City of Portland's newly completed Homeless Service Center is the only commercial building constructed this year that does not use fossil fuels. It is a one-story facility of approximately 51,690 square feet located on 654 Riverside Street. Most of the floor space is used for sleeping dormitories and associated bathroom facilities. Ancillary spaces include offices, a medical clinic, day room/cafeteria, commercial warming/serving kitchen, storage, and utility spaces.

The building consists of a well-insulated envelope, including R-31 exterior wall (assembly value), R-60 roof (assembly value), passive-house level fixed windows, and insulated doors. The building is conditioned by Variable Refrigerant Flow (VRF) system with a Dedicated Outside Air System (DOAS) with energy recovery supplying ventilation air. Ventilation air is controlled by CO2 levels in the rooms. Service hot water is provided by electric water heaters.

A 107.8 kW PV array is installed on the building's roof significantly offsets energy consumed by building operations. The highly efficient building envelope reduced building loads and allowed for the installation of a smaller HVAC system than would otherwise be required. The Homeless Service Center is in process of becoming LEED certified and is on track to be LEED Gold.

Portland Commons, a new dormitory facility at the University of Southern Maine, is nearing completion. It is being built to Passive House standards and will be amongst the largest passive house buildings in the US when complete. We hope to highlight it in next year's report.

We also plan to highlight the 268 unit apartment building located at 201 Federal Street, which will be completed in early 2024. It is fully electric and uses innovative technology for heating and cooling.

The Sustainability Office is working with Permitting and Inspections to develop a system to identify residential properties that do not use fossil fuels and hope to report about residential properties next year.

Green Building Technologies

Existing Building Renovation Spotlight:

31 Diamond Street, located in the East Bayside neighborhood of Portland, was built in 1967 with just over 20,000 square feet of gross floor area. Used as a manufacturing facility for many years, the owners of 31 Diamond Street have renovated the space into a more energy efficient, mixed-use space. This full building renovation included improving insulation and switching from a natural gas heating system to a rooftop dual fuel heat pump system with a custom building management system to adjust for optimal efficiency. A dual-fuel heat pump system allows building management to dictate the optimal temperature based on historical building energy usage to switch to the natural gas heating system when the heat pump system loses efficiency. The team at 31 Diamond Street worked with Efficiency Maine to create an incentive for the dual fuel heat pump system and installed the AAON Inc. RQ and RN series which are expected to have a net thermal impact of 379 MMBTU. This new system, with the improved insulation, has an estimated payback period of 4.6 years with over \$54,000 in energy cost savings in the first year of operation. 31 Diamond Street is now partially operational with tenant businesses such as Toad and Co. retail and Orange Bike Brewing and more tenants expected this year.

Next year we hope to highlight the redevelopment of the Mercy Hospital site, which is currently under construction. We anticipate it to be fully electric and use innovative technology to reduce energy consumption.

Relevant Legislation enacted at the State and Local Level that Reduces Reliance on Fossil Fuels

State Level Legislation This Session:

The Governor signed LD 1101: An Act to Support Lower Home Energy Costs by Establishing a Home Energy Scoring System. This bill directs the Efficiency Maine Trust to establish a voluntary home energy scoring system for residential buildings for the purpose of evaluating a building's energy efficiency and relative greenhouse gas emissions. The goal is to increase residential energy efficiency measures by providing a voluntary low-barrier audit which incentivises potential projects to increase a building's efficiency score and provides resources for consumers before they purchase. Improving residential energy efficiency will help reduce Mainer's energy burden.

The Maine House and Senate both rejected LD 894 that would have prevented Maine cities and towns from restricting the use of fossil fuels.

Recommended Changes to City Code to Reduce the Use of Fossil Fuels

Adopt C-PACE: In 2021, the Maine Legislature approved and Governor Mills signed a bill to create a Commercial Property Assessed Clean Energy (C-PACE) program in Maine. After extensive consultation with stakeholders in the building community, lenders, and municipalities, Efficiency Maine staff published the implementation rules in March 2023. A C-PACE program allows commercial property owners to access financing to undertake energy efficiency and clean energy improvements on their buildings and repay the investment over time. This financing mechanism uses borrowed capital from a capital provider to pay for the upfront costs associated with energy efficiency or renewable energy improvements. The borrowed capital is secured by a property tax assessment with an associated lien on the subject property. The security provided by the tax assessment results in several compelling features, including longer-term financing and transferability of the repayment obligations to subsequent owners of the property. C-PACE financing strengthens the business case for investment in longer payback and deeper building retrofits. Portland's Energy Benchmarking Ordinance requires larger buildings to track and report their energy usage and gives building owners direct feedback about how their building compares to others of a similar size and use. Instituting a C-PACE program would be a valuable resource for these building owners to act on that feedback. In May 2023, Efficiency Maine presented information about C-PACE to the Sustainability and Transportation Committee. City staff are working to bring a C-PACE ordinance back to the committee for endorsement later this fall.

Adopt Mandatory Disclosure of Home Energy Scores at Time of Sale: With the adoption of LD 1101, creating a home energy score for the State, we are investigating the possibility of adopting an ordinance that would require disclosure of energy performance when residential properties are sold. This would allow home buyers to understand the energy burden associated with a property before purchasing it so they would have visibility into the true cost of ownership. It could also incentivize homeowners to make efficiency improvements to homes before sale in order to raise their energy score. The City of Portland, Oregon has successfully implemented such a program.

Carbon Impact Fee: Earlier this year, the Sustainability and Transportation Committee requested a presentation about Burlington, Vermont's new Carbon Impact Fee. On March 7, 2023, voters in Burlington voted to create a carbon pollution impact fee of \$150 per ton that would apply to all new construction over 50,000 square feet that installs fossil fuel thermal energy systems, and to renovation projects in buildings over 50,000 square feet when the building is installing fossil fuel systems instead of using renewable systems. Proceeds from the fee could support converting the City's vehicle fleet to electric vehicles; a new City fund to support clean heating technology installations for low-income Burlington households and renter; or as rebates back to projects subject to the fee if they take actions to reduce operational emissions. The Committee asked staff to examine this policy in light of Maine law and to report back whether this, or a similar policy, could be adopted in Portland.

Assessment of the benefits of adopting this policy

Our climate action plan, One Climate Future, notes that over 60% of the carbon emitted in the City of Portland comes from buildings. This policy provides an opportunity to brief the City Council about efforts by the City and private developers to eliminate fossil fuels from new construction and major renovation projects. It also provides an opportunity to recognize buildings that do not use fossil fuels and to note the building technologies used by the project teams to meet that objective so they may be adopted by others.



2022 HOUSING REPORT PORTLAND, MAINE

June 2023

Part I prepared by the Department of Planning & Urban Development

Part II prepared by the Department of Housing & Economic Development

The 2022 Housing Report has been prepared at the request of the City Council's Housing & Economic Development Committee. This report is designed to give an overview of housing development activity, funding sources, and projects benefitting from funding subsidies in the 2022 calendar year.

Cover art courtesy of Arlo M., Grade 4, East End Community School

PART I

1. EXISTING HOUSING SNAPSHOT

In 2021, the most recent year for which housing characteristic data is available from the U.S. Census Bureau's American Community Survey, the City of Portland contained an estimated 35,356 housing units. Per the ACS, a slight majority (52%) of these estimated units were renter-occupied, with the remaining 48% owner-occupied. The city's vacancy rate in 2021 was estimated at 8.3%, well under the rate for the state of Maine and the country as a whole.

Figure 1: City of Portland Dwelling Units by Units in Structure (2021)

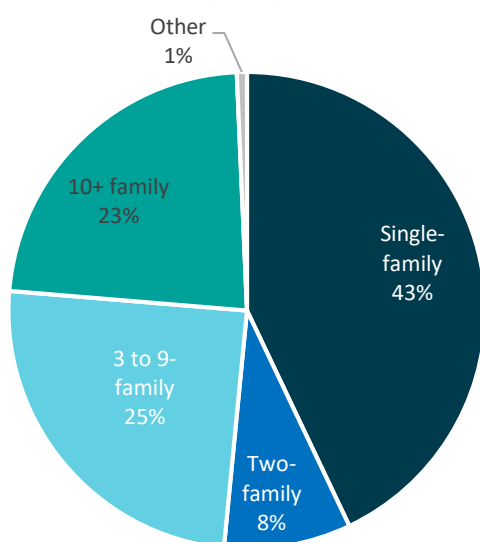
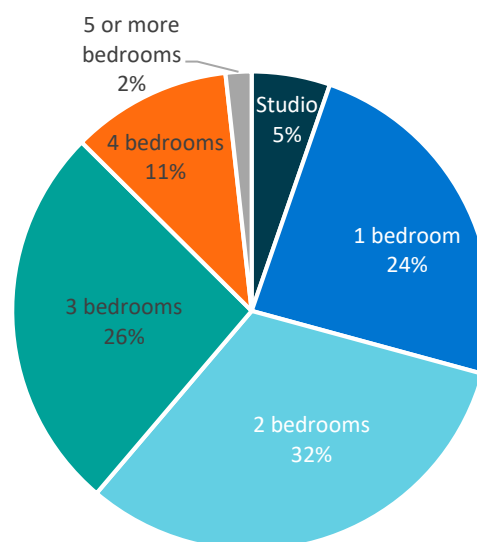


Figure 2: City of Portland Dwelling Units by Bedroom Count (2021)



In 2021 the largest percentage (43%) of the city's estimated units were categorized as single-family units; the ACS also reported large percentages of units within mid-sized buildings of 3-9-units (25%) and 10+ units (23%) (*Figure 1*). In terms of unit size, the city's units generally trend small; most units in the city (61%) were estimated to contain 0-2 bedrooms in 2021, and another 26% contained 3 bedrooms (*Figure 2*).

2. 2022 HOUSING DEVELOPMENT

A. RESIDENTIAL APPROVALS

In 2022, the Planning Board approved 10 new multi-family development projects totaling 322 units (*Table 1*); another 21 single- and two-family projects totaling 22 units were permitted administratively (*Table 2*). Of the multi-family projects approved, there were three projects with more than 10 units and seven with unit counts between three and nine (*Figure 3*).

2022 HOUSING DEVELOPMENT AT A GLANCE

322 multi-family housing units **approved**
22 single- and two-family units **permitted**

232 ownership units (**62** coop units)
112 rental units
108 affordable units

145 new multi-family units **completed**
32 single- and two-family units **completed**

59 new multi-family rental units
86 new multi-family ownership units
28 affordable multi-family units
2 affordable single-family units

Table 1: Multi-Family (3+ Unit) Approvals (2022)

Address	Type	Units Approved	Affordable Units Approved	Affordability Level
65 McAuley Way (Building 2)	Ownership	28	0	Market rate
65 McAuley Way (Building 3)	Ownership	42	0	Market rate
65 McAuley Way (Building 4)	Ownership	28	0	Market rate
65 McAuley Way (Building 5)	Ownership	42	0	Market rate
387 Deering Ave.	Rental	8	0	Market rate
50 Exchange St.	Rental	4	0	Market rate
102 State St. (aka 39 Winter)	Ownership	9	0	Market rate
94 Portland St.	Rental	4	0	Market rate
54 York St.	Rental	14	0	Market rate
392 St. John St.	Rental	9	0	Market rate
Douglass Commons (91 Douglass St.)(aka 45 Dougherty)	Rental	63	46	60% AMI
Dougherty Court (91 Douglass St. (aka 43 Douglass St.))	Ownership (Coop)	62	45/17	100% AMI/ 80% AMI
7 Marion St.	Rental/ Ownership	3	0	Market rate
26 E. Oxford St.	Rental	6	0	Market rate
Total		322	108	

Table 2: Single- and Two-Family Permits Issued (2022)

Address	Type	Units Approved
8 University St.	Single-Family	1
8 Lane Ave.	Single-Family	1
96 Murray St.	Single-Family	1
62 Hicks St.	Single-Family	1
55 Trailhead Way	Single-Family	1
17 Massachusetts Ave.	Two-Family	2
154 Belfort St.	Single-Family	1
58 Trailhead Way	Single-Family	1
78 Black Sparrow Dr.	Single-Family	1
50 E. Kidder St.	Single-Family	1
43 Howard St.	Single-Family	1
1 Maple St.	Single-Family	1
299 Summit St.	Single-Family	1
126 Morrill St.	Single-Family	1
4 Highland Ave.	Single-Family	1
827 Ocean Ave.	Single-Family	1
113 Reed Ave.	Single-Family	1
37 Pamela Rd.	Single-Family	1
56 Lower A St.	Single-Family	1
59 Chesley Ave.	Single-Family	1
91 Sheridan St.	Single-Family	1
Total		22

Of the total approved units for 2022, the majority (232) are anticipated as ownership units, with 62 of those ownership units proposed under a cooperative housing model (*Figure 4*). 112 units are anticipated as rental units. The largest percentage of ownership units were approved as part of the Stevens Square development in Deering Center. A large percentage of the anticipated rental units were approved within the Libbytown neighborhood on former City-owned property, with additional rental units approved for Downtown, Valley Street, and Oakdale (*Figure 6*).

A total of 108 of the approved units for 2022 will be deed-restricted for affordability to households earning at or below 100% Area Median Income (AMI) (*Figure 5*). 45 of these units will remain affordable to households earning at or below 100% of AMI, 17 will remain affordable at 80% AMI, and 46 will be affordable at 60% AMI. The 108 approved affordable units are all multi-family units, and all will be located on former City-owned property at 43 and 91 Douglass Street.

Figure 3: Projects and Units Approved by Building Size (2022)

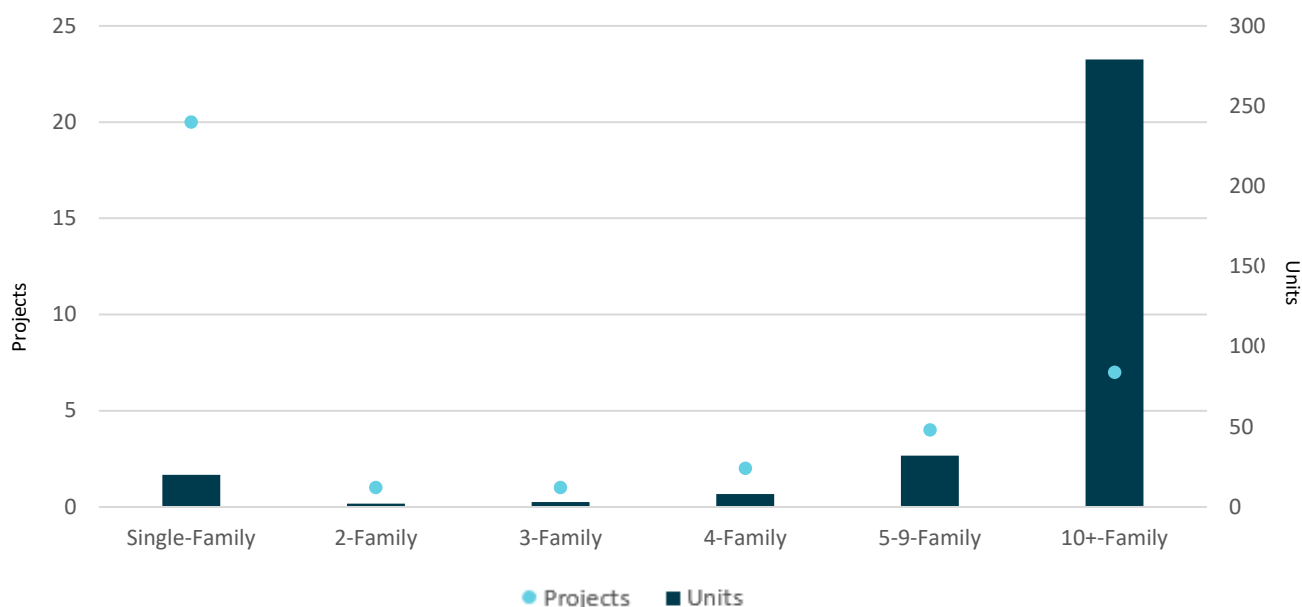


Figure 4: Units Approved by Ownership/Rental Status¹ (2022)

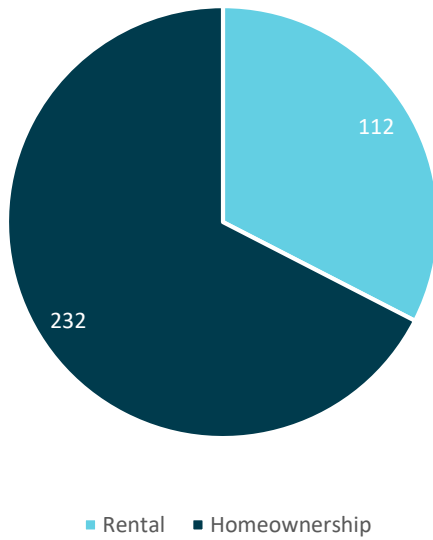


Figure 5: Units Approved by Affordability Level (2022)

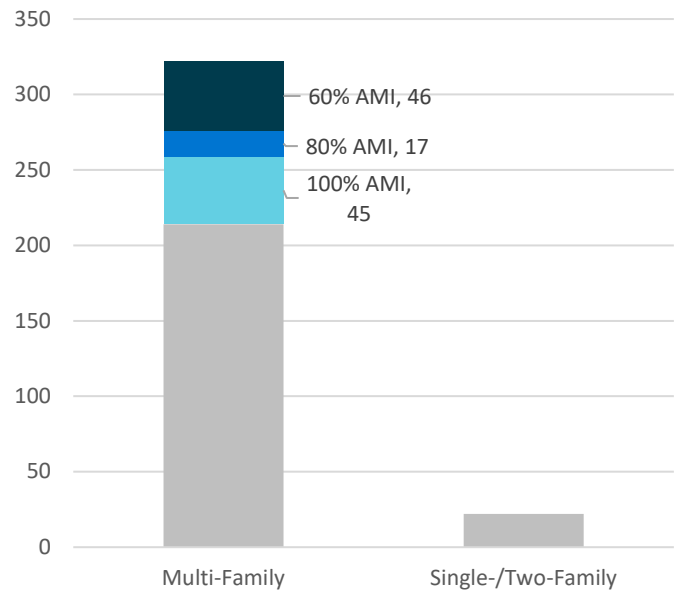
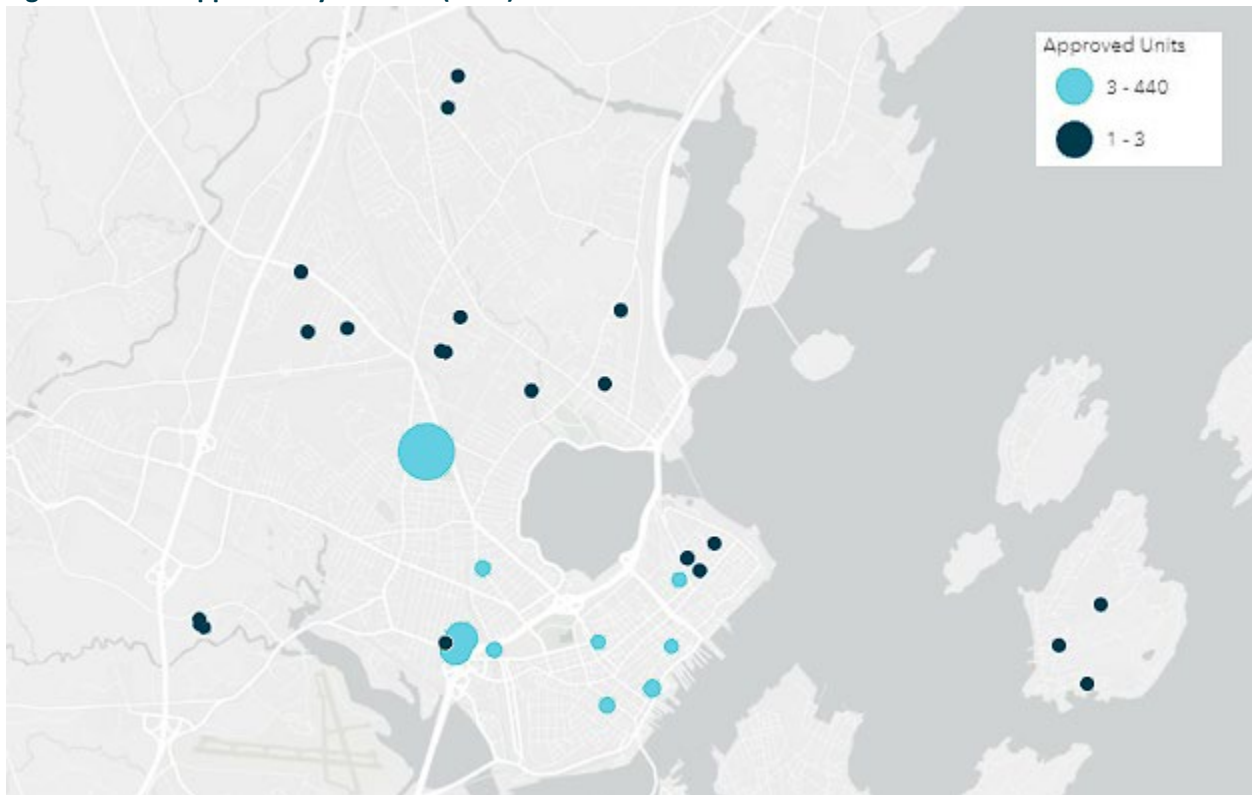
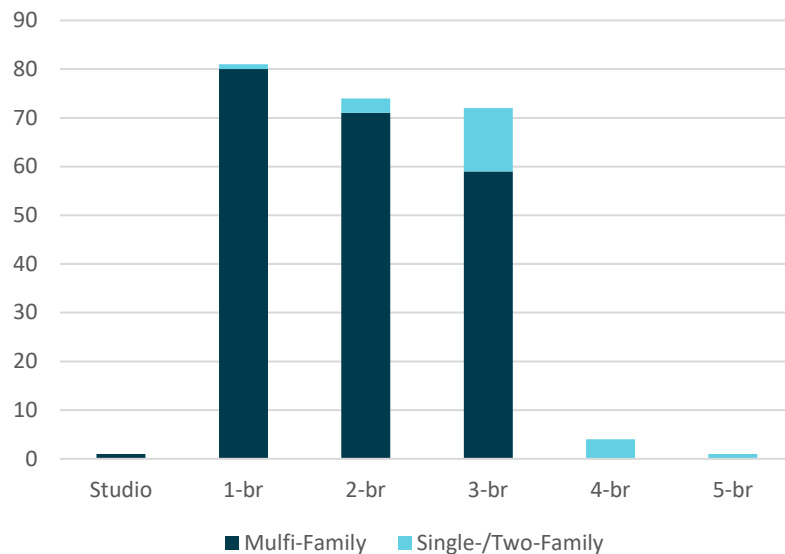


Figure 6: Units Approved by Location (2022)



**Note that the four McAuley Way projects are shown as one development for the purposes of this map.*

Figure 7: Units Approved by Bedroom Count (2022)



Of the approved units for which bedroom mix data is available, the highest proportion were one-bedroom, with similar numbers of two- and three-bedroom units (*Figure 7*). Significantly fewer of the approved units in 2022 contained four or five bedrooms. Generally, units approved in multi-family buildings tended to be smaller in size, and single- and two-family units tended toward larger, with 4- and 5-bedroom units exclusively contained to single- and two-family dwellings.

B. RESIDENTIAL CERTIFICATES OF OCCUPANCY

In 2022, eight multi-family residential projects totaling 145 units received certificates of occupancy, meaning that construction concluded and their units became available for use (*Table 3*). Of these, the majority (86) were ownership units, and the remainder (59 units) were rentals. 28 of these units were deed-restricted affordable units. An additional 30 single-family units and one two-family unit totaling 32 units also received certificates of occupancy in 2022. Two of these units were deed-restricted affordable units, both the product of the City's inclusionary zoning ordinance.

Table 3: Certificates of Occupancy Issued for Multi-Family Projects (2022)

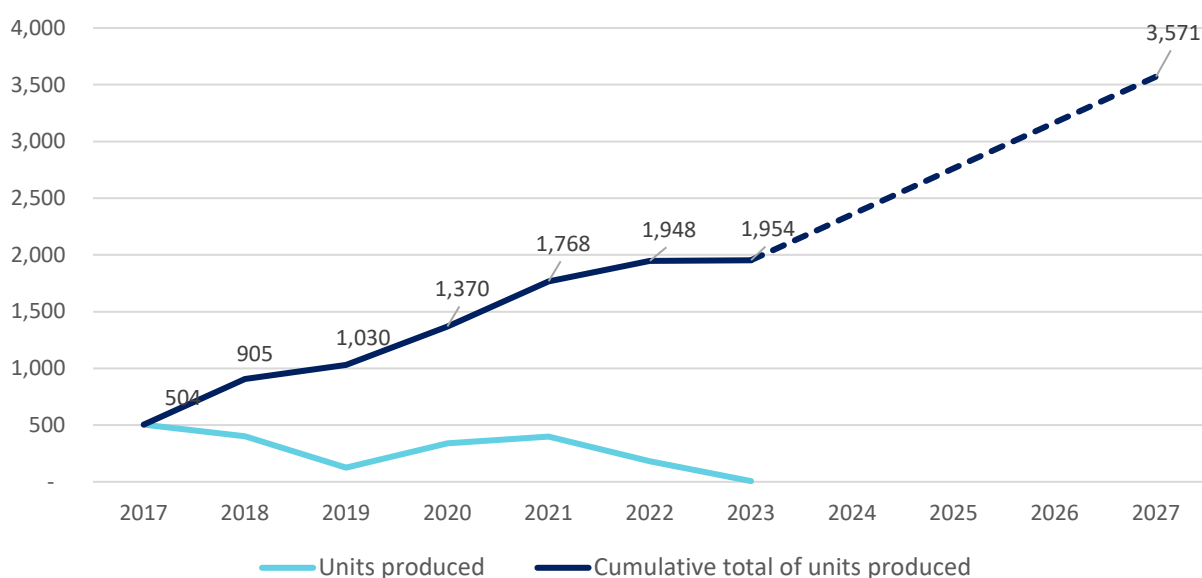
Address	Type	Total Units	Affordable Units	Affordability Level
5-7 India St.	Rental	24	0	Market
104 Grant St.	Ownership	23	12	Market/110-120%
30 Mellen St.	Rental	6	0	Market
148 Newbury St.	Ownership	3	0	Market
128 R North St.	Ownership	6	1	Market/120%
1006 Congress St.	Rental	16	2	Market/100% AMI
75 Chestnut St.	Ownership	54	0	Market
37 Front St. (Building 2)	Rental	13	13	50% AMI
Total		145	28	

3. HOUSING DEVELOPMENT TRENDS

A. TOTAL PRODUCTION

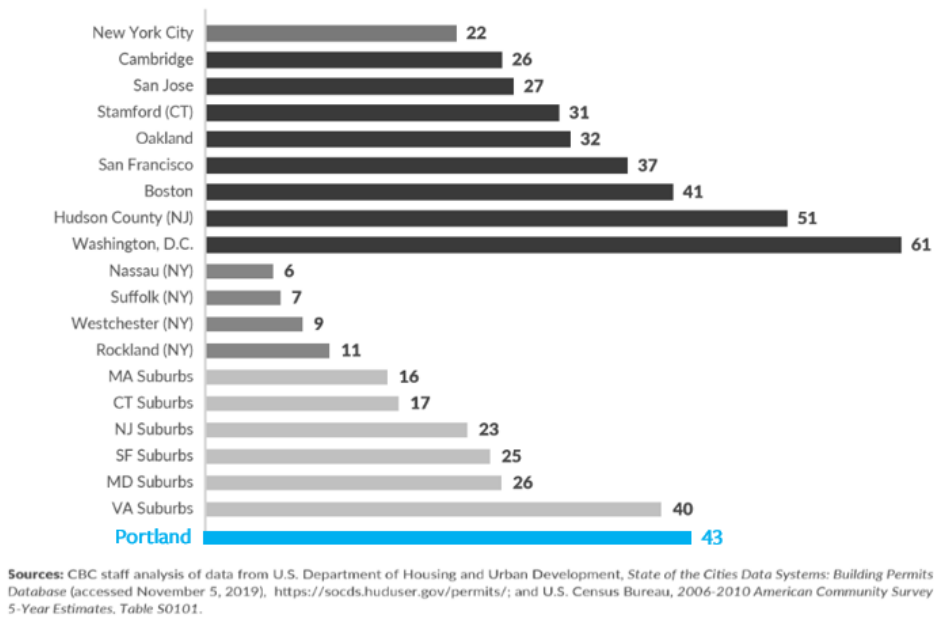
On the premise that “all who work in Portland should have the option of living in Portland,” *Portland’s Plan*, the City’s comprehensive plan, sets a goal of 2,557 new housing units between 2017 and 2027, or an average of 256 new units per year. Recent building permit data shows that the City is on track to exceed the housing production goal of *Portland’s Plan* by a significant margin (*Figure 8*). Since the adoption of the plan, the City has issued certificates of occupancy for 1,954 dwelling units, or 76% of the *Portland’s Plan* target. If the current pace continues, the city will meet the target by 2025 and exceed its 2027 comprehensive plan goal by more than 1,000 units.

Figure 8: Housing Production by Certificates of Occupancy Issued (2017-projected)



The City also performs well when compared to some national housing production metrics. For instance, a recent Slate analysis on housing production trends in New York state compiled census data across U.S. metro areas to compare approvals on a per capita basis; when local data is evaluated using the same metric, Portland outperforms its larger peers such as New York City, San Francisco and Boston, in some cases by significant margins (*Figure 9*), evidence that the City’s numerous housing policies and programs are succeeding in fostering housing creation.

Figure 9: Housing Approvals per 1,000 Residents (2010-2018)



Source: Original graph from <https://slate.com/business/2023/01/kathy-hochul-housing-new-york-zoning.html> with City of Portland Permitting & Inspections data added.

When reviewing housing approvals in Portland over time, the trend is also generally positive. Over the last 12 years, the City has approved an average of 387 units per year, with over 80% of those units approved from 2015 on (*Figure 10*). 2022 generally held with recent trends; while total 2022 approvals represent a fraction of those for 2021, 2021 saw an unusually high number of units approved, and the 2022 approval figures are consistent with the previous five-year average. Year over year, the vast majority of units are the result of multi-family development; multi-family units as a percentage of the annual total generally hovers around 90%.

Figure 10: Single-, Two-, and Multi-Family Units Approved (2010-2022)

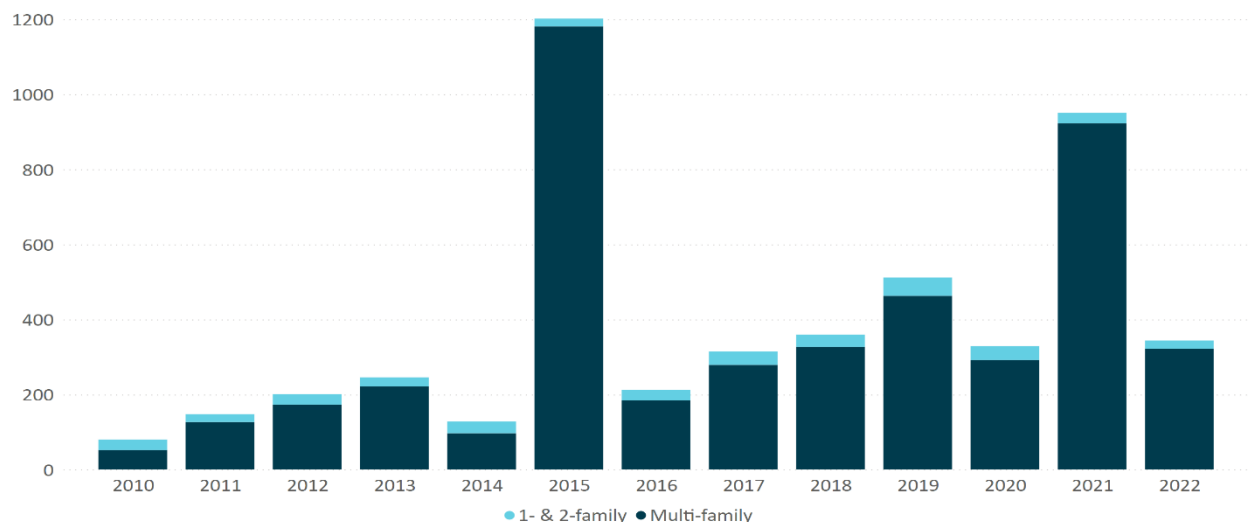
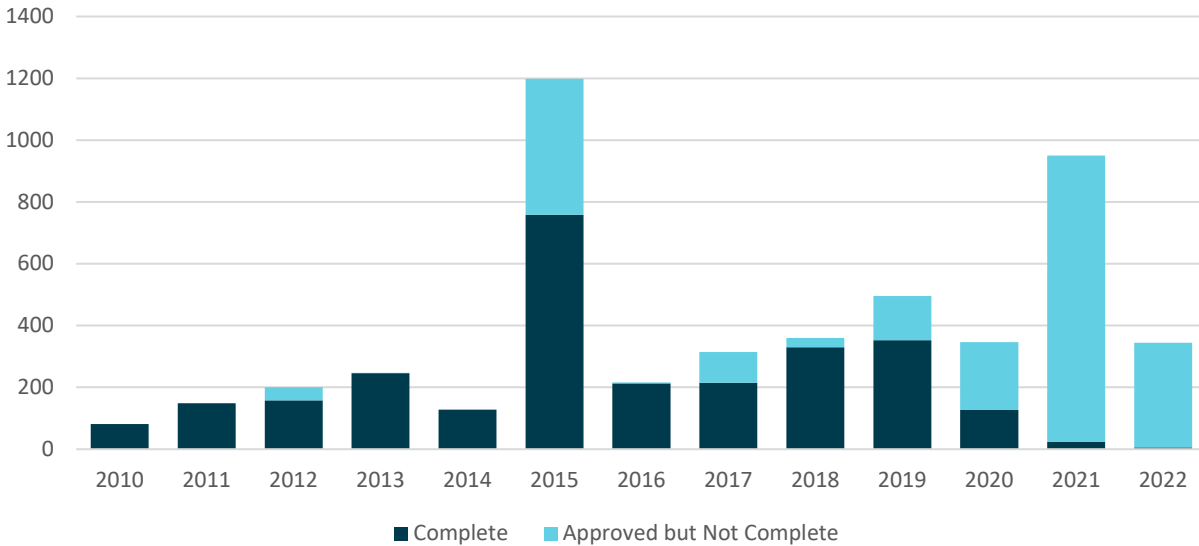


Figure 11: Completed and Approved Units by Year of Approval (2010-2022)



When looking year over year, the data generally shows high rates of completion, meaning that approved units in Portland are generally being constructed and receiving certificates of occupancy (*Figure 11*). There are some notable exceptions; a large number of units approved in 2015 were not constructed, for instance, but generally the completion rates through 2019 range from 60% to 100%. More of the 2020-2022 approvals remain to be built; this reflects the reality of the development pipeline.

B. RENTAL/HOMEOWNERSHIP

Significantly more of the units approved in the last twelve years have been rental units than owner-occupied units, and in any given year, the number of rental units approved generally exceeds homeownership units by a large margin (*Figure 12*). However, as with several years in the mid-2010s, 2022 diverged from this trend, with significantly more ownership units approved than rental units. A large percentage of these ownership units were the product of two developments – Stevens Square and 43 Douglass Street – and 62 of those units were approved as cooperative units, a relatively new ownership model for the City of Portland.

Figure 12: Approved Multi-Family Units by Unit Type (2010-2022)

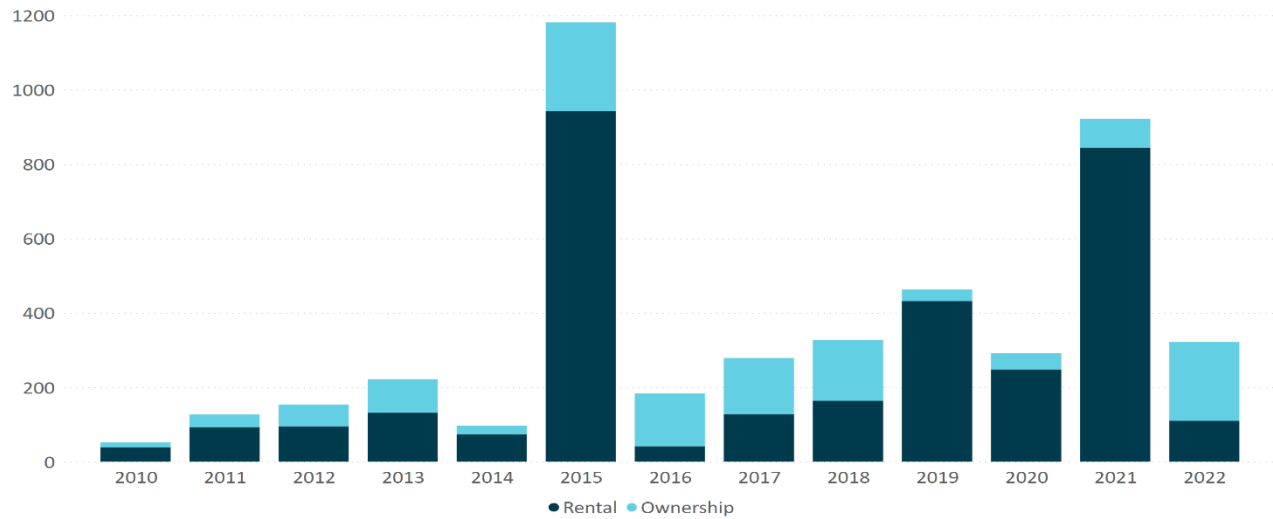
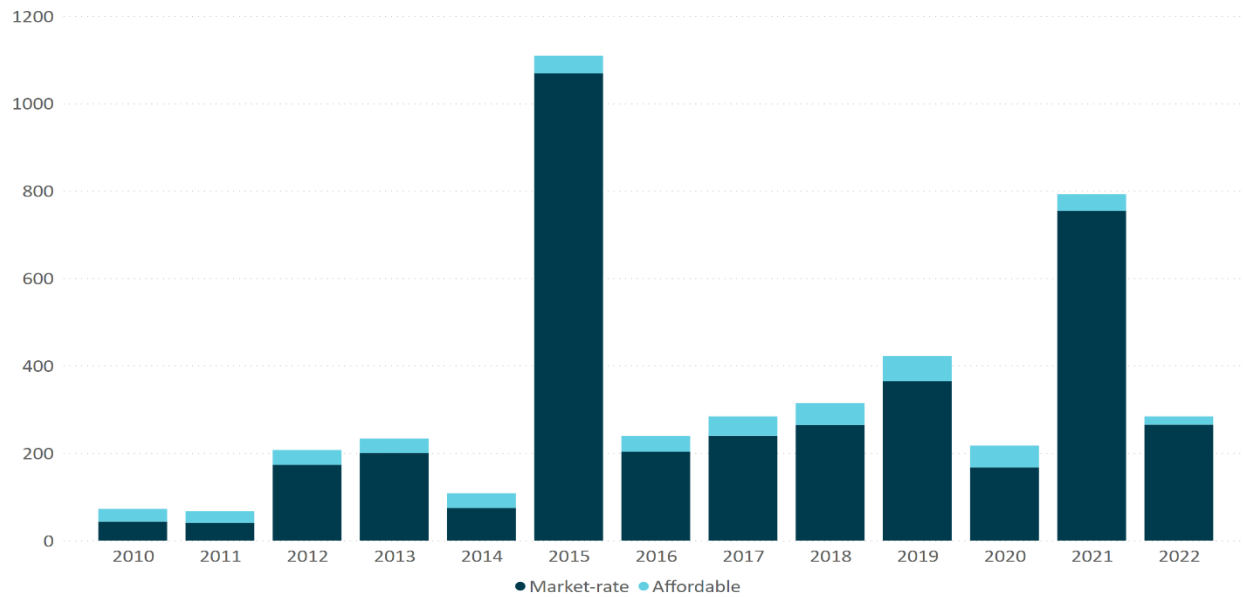


Figure 13: Approved Multi-Family Units by Affordability Level (2010-2022)



C. AFFORDABILITY

Even as production figures exceed the City's own housing target, the cost of housing in Portland continues to escalate. As one means of addressing this challenge, the City continues to support deed-restricted affordable housing; since 2010, over 23% of the approved multi-family units within the city qualify categorically as affordable units with rents or purchase prices limited to households earning below 120% of the area median income (*Figure 14*). Of these units, the majority were designated for households earning less than 80% of Area Median Income (AMI). In 2022, the proportion of deed restricted affordable housing units approved was higher than for the last 12 years as a whole, at 31%. Of these units, 42% will be deed-restricted to families earning 60% or less of AMI, 16% will be deed-restricted to families earning 80% or less of AMI, and the remaining 42% will go to families earning 100% of AMI.

Figure 14: Approved Multi-Family Units by Affordability Level (2010-2022)

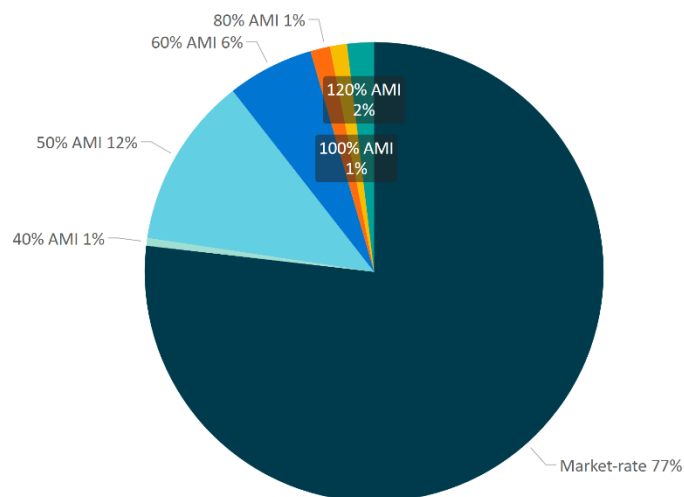
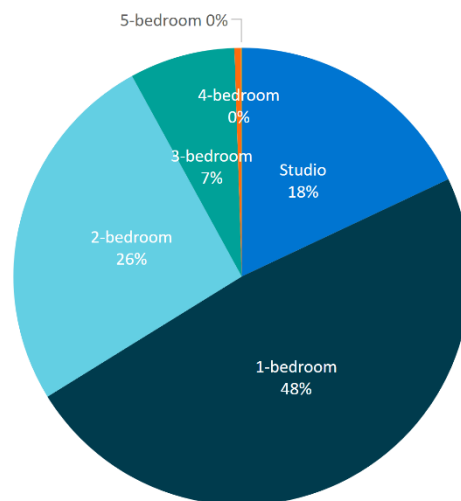


Figure 15: Approved Multi-Family Units by Bedroom Mix (2010-2022)



D. UNIT SIZE

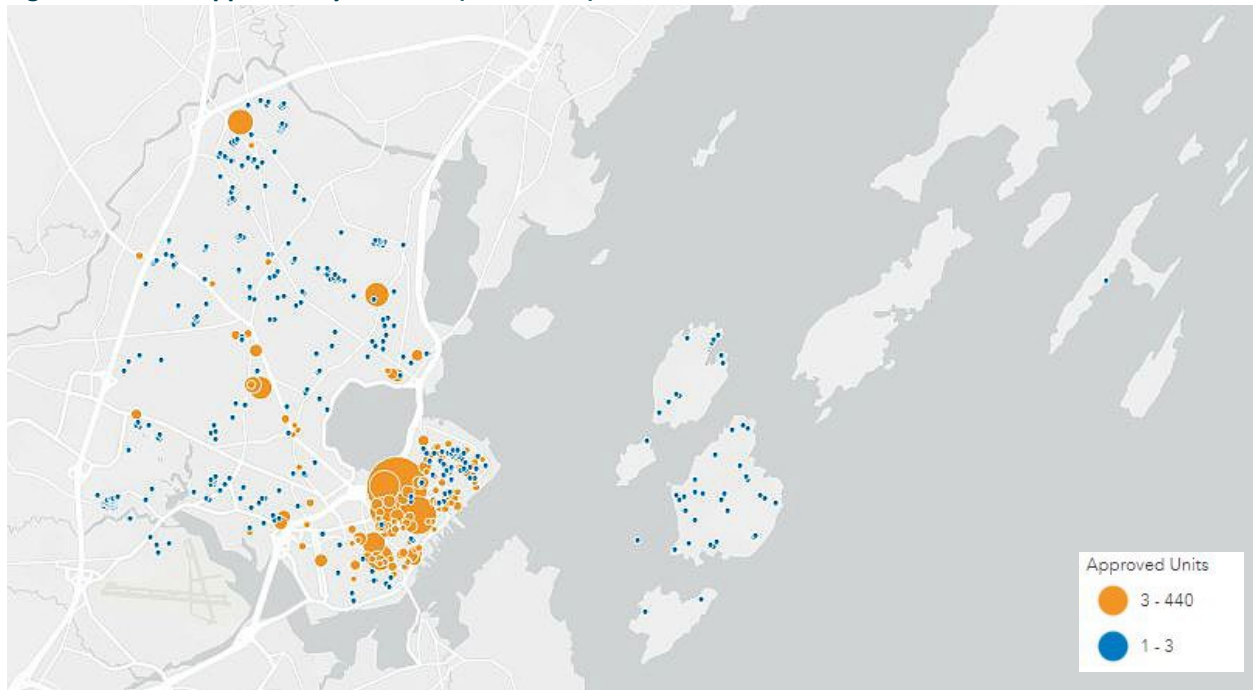
When looking at unit size, data from the last 12 years shows that a large percentage of approved units are small – studios, one-bedroom, or two-bedroom units, particularly when looking at the multi-family context (*Figure 15*). Altogether, these unit types constitute 92% of all new multi-family units created in the past 12 years. 2022 was generally consistent with this trend.

E. LOCATION

In the past 12 years, the areas of the city with the most approved new housing have generally been Bayside, Downtown, and the West End (including recent developments at the former Mercy Hospital campus and in the vicinity of York/High Streets) (*Figure 16*). New housing, particularly multi-family housing, is significantly more common in on-peninsula neighborhoods, where the zoning generally allows additional density and there is easier access to public transit, jobs, and services. Some on-peninsula neighborhoods have seen virtually no single- and two-family housing construction in the past twelve years, while this type of housing is the only residential development common in some off-peninsula neighborhoods.

2022 saw a different pattern of residential development, with more development approved for off-peninsula than for on. As noted above, this pattern is largely the product of several large developments, two in Libbytown (43 & 91 Douglas Street) and one multi-building development in Deering Center (Stevens Square on McAuley Way).

Figure 16: Units Approved by Location (2010-2022)



F. INCLUSIONARY ZONING

The City's inclusionary zoning (IZ) policy requires that all residential projects of 10 or more dwelling units either create affordable units or pay an in-lieu fee to the Housing Trust Fund. This policy represents an attempt to leverage the private market to create affordable housing.

2022 saw 10 multi-family approvals, three of which were more than 10 units in size and thus theoretically subject to inclusionary zoning. One of the three projects is an affordable housing project exceeding the inclusionary zoning requirements by nature; another met IZ requirements with sixteen off-site units through a prior agreement, and the remaining project agreed to pay the fee-in-lieu (\$649,356). As of June 1, 2023, only one multi-family project (not subsidized by the City) has triggered the Inclusionary Zoning Ordinance; they have chosen to pay the fee-in-lieu of creating workforce housing.

4. HOUSING-SUPPORTIVE LAND USE POLICY

The City's guiding policy documents place a strong value on housing creation, diversity, and affordability. These concepts are a centerpiece of *Portland's Plan 2030*, and have been Council priorities for many years. The housing component of *Portland's Plan* states, "[w]hile Portland has welcomed much needed new housing construction in recent years, both the lack of sufficient housing supply and the affordability of that housing for a healthy socio-economic cross-section of the population remain urgent challenges." It goes on to assert that the city must "recognize that [its] vitality rests on the availability of diverse, secure housing options for existing residents, new arrivals, and all stages of life" (p. 47).

A. EXISTING LAND USE CODE

POLICIES TO ENCOURAGE HOUSING PRODUCTION

In keeping with *Portland's Plan*, Portland's existing land use code includes a number of provisions designed to support the production of housing of a wide range of types and sizes, as well as the creation of legally-binding affordable and workforce housing targeted specifically for residents of low or moderate incomes. These provisions include:

1. *Housing replacement ordinance.* The City's land use code has included provisions since the early 2000s that require any development proposals that remove existing housing to replace those units, either within the same geographic area or by contributing to the City's Housing Trust Fund. These provisions help to counter any potential net losses in housing supply associated with development.
2. *Base zoning to encourage housing creation.* In the past decade, the City has adjusted base zoning in several districts to support greater housing creation, modifying dimensional standards to allow for higher densities and smaller lots. These provisions have been targeted towards higher density residential zones and mixed-use zones well-served by transit, including the B-1, B-2, B-3, and R-6, on the grounds that they create opportunities for housing development in areas of the city that are particularly well-prepared for them. Generally, these adjustments have been successful in producing housing; when looking at production by zone, the City's mixed-use zones and higher density residential zones regularly outpace other zoning districts in terms of housing creation.
3. *Accessory Dwelling Units (ADUs).* Under ReCode Phase I, the city revised Accessory Dwelling Unit (ADU) standards in the interest of eliminating barriers to ADU creation. The 2020 revisions streamlined ADU regulations, eliminated restrictive dimensional and parking requirements, removed procedural hurdles, and increased the number of ADUs permitted per lot (up to two ADUs), making it not only significantly easier to build an ADU in the city, but significantly easier to build significantly more ADUs. ADUs don't have affordability restrictions or requirements, the result of a deliberate policy decision to focus these recently revised regulations on paving the way for smaller, naturally affordable units across the city. Though total number of ADUs remains relatively modest, ADU permits have roughly tripled since the new ADU framework was implemented, from an average of less than five a year prior to 2020 to 15 per year in 2022.
4. *Parking exemptions.* Off-street parking requirements are often cited as a barrier to housing production, forcing housing developers to devote valuable lot area to vehicles, rather than housing units. The City's land use code has long included a great deal of flexibility for developers

when it comes to parking, including but not limited to exemptions in certain zones, shared parking provisions, and off-site parking allowances. As of December 2020, the City's land use code includes lower residential parking requirements city-wide and offers an off-street parking exemption to any use within a ¼ mile of a transit route, essentially freeing much of the city from parking requirements altogether.

POLICIES TO SUPPORT AFFORDABLE HOUSING

1. *Affordable housing bonuses.* As of the mid-2000s and as refined in the late 2010s, the City's land use code has included dimensional bonuses for affordable and workforce housing in many of the City's mixed-use zones and for PRUDs in residential zones, scaled to the level of affordability provided. These bonuses allow increased height, increased density, and reduced setbacks for affordable housing projects.
2. *Expedited permitting for affordable housing.* In addition, affordable housing applications have been eligible for a reduction in fees and priority review since the mid-2000s. With the passage of the impact fee ordinance, the affordable housing fee reductions were extended to include these fees.
3. *Inclusionary zoning.* As noted above, in 2015 the City adopted inclusionary zoning, which requires that projects of 10 or more dwelling units provide a share of workforce housing or make a contribution to the City's Housing Trust Fund. A second inclusionary zoning policy was adopted in 2019 for hotels. These policies are intended to ensure that affordable housing is constructed in tandem with market rate housing and hotel development, and to support the creation of this housing in a mixed-income setting. The inclusionary zoning policy was modified by referendum in 2020 to increase the affordable housing share and to target lower median incomes.

B. CURRENT AND ONGOING INITIATIVES

Additional land use work focused around housing creation, diversity, and affordability city-wide is ongoing. At present, this work includes:

NYU HOUSING SOLUTIONS LAB & HOUSING SUPPLY BOOT CAMP

Throughout 2022, the City of Portland participated as a member of the Peer Cities Network of the [Housing Solutions Lab](#) at NYU. The network was a group of small and mid-size cities with housing strategies in various stages of development. The group was led by an interdisciplinary team from NYU's Furman Center, who provided the city with housing data, technical assistance, professional development, and facilitated discussion on housing policy throughout the year. Staff from the City's Department of Planning & Urban Development, who prepared the application to be selected for the network, and well from Housing and Economic Development, and the Assistant City Manager participated throughout. The goal of the City's participation in the network was to provide opportunities for staff across departments to reflect on the City's existing housing policy and programs, consider best practices in housing policy and programs that address the city's current needs around supply, diversity, and affordability, and coordinate on a broad plan for housing moving forward.

At the conclusion of the year-long cohort, representatives of the Housing Solutions Lab facilitated a one-day intensive ‘housing supply boot camp’ with a range of stakeholders invested in creating housing in Portland. The event was designed to help the City gain a broader understanding of challenges and opportunities around housing creation. It brought together 14 external stakeholders representing the development, architecture, construction, finance, affordable housing, and real estate industries for a facilitated discussion with housing policy experts from the Lab, with City staff in a supporting role. The discussion resulted in a [list of ideas](#) to encourage additional housing production in Portland. In the time since the boot camp, staff has been incorporating some of these ideas into its ongoing work, particularly through the ReCode lens. The work of pursuing concepts from the boot camp is expected to continue over the coming months and years.

RECODE PHASE II

The City also continued its housing work under ReCode Phase II in 2022. The early part of the year focused on public engagement around the City’s [land use code evaluation](#). Engagement opportunities included a web-based code evaluation comment portal, public forums, surveys, and Planning Board and Council workshops. Generally, the [findings](#) from this engagement showed widespread agreement on many of the housing-related policy concepts from the code evaluation. For instance, there was significant support for the concept of aligning housing opportunities with transit investments through transit-oriented zoning and for changing use permissions and dimensional standards to promote housing more generally.

Throughout the second half of 2022, the City worked with the ReCode consultant to begin drafting amendments to the land use code, integrating principles from the code evaluation. The first stage of drafting will conclude in the coming month with the release of several revised articles of the land use code, including Definitions, Zones, Use Standards, and Dimensional Standards. These core elements of the code are central to housing potential, as they establish the basis for what types of housing can be built, how it can be built, and where. Public engagement around these elements is expected to proceed through the summer.

L.D. 2003

In April 2022, Governor Mills signed into law L.D. 2003, or “An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.” This law intends to remove local regulatory barriers to housing production in Maine and, to this end, includes requirements around minimum densities, Accessory Dwelling Units (ADUs), parking, affordability, and residential uses.

In March of 2023, staff summarized the City’s existing status with respect to L.D. 2003 compliance in a memo to the City Council. This memo found that, by and large, Portland’s existing land use code meets and in most cases exceeds many of the requirements of L.D. 2003. For instance, parking requirements are already lower than that outlined in L.D. 2003 in most respects, Portland’s ADU ordinance is more permissive than the L.D. 2003 standard, and in many areas of the city, maximum residential densities far exceed anything that L.D. 2003 contemplates or sets for state minimums. However, there are several areas where Portland’s code addresses the goals of L.D. 2003 in slightly different ways than required by the state law, and these will need to be addressed.

Following discussion in the legislature on L.D. 2003 and state rule-making that concluded this spring, the deadline for compliance with L.D. 2003 has been extended to January 1, 2024. In the intervening time, staff intends to bring a slate of short-term changes to the land use code to comply with LD 2003. These will dovetail with work on ReCode Phase II, drafts of which will begin public review in summer 2023.

PART 2

1. HOUSING PROGRAMS

A. FEDERAL REVENUE SOURCES

The U. S. Department of Housing and Urban Development's (HUD) mission is to "create strong, sustainable, inclusive communities and quality affordable homes for all." To fund this mission, HUD allocates money directly to state and local governments for community planning and development projects through a variety of programs such as HOME Investment Partnership Program (HOME), Community Development Block Grants (CDBG), and Housing Development Services (HDF).

HOME

HOME is a federal block grant program that provides funding to states and localities to be used exclusively for affordable housing activities to benefit low-income households. Funds for HOME are appropriated annually to the Department of Housing and Urban Development (HUD), which in turn distributes funding to participating jurisdictions. HOME is also designed to expand the capacity of states and localities to meet their long-term affordable housing needs by leveraging federal funding to attract state, local, and private investment in affordable housing and by strengthening the ability of government and nonprofit organizations to meet local housing needs.

Table 4: HOME Funding (FY 09-10 to FY 22-23)

Fiscal Year	Total Funding	Portland	Cumberland County
FY 23-24	\$1,037,237	\$635,826	\$401,411
FY 22-23	\$1,070,677	\$656,325	\$414,352
FY 21-22	\$991,679	\$607,899	\$383,780
FY 20-21	\$1,053,039	\$645,647	\$407,611
FY 19-20	\$1,020,693	\$625,685	\$395,008
FY 18-19	\$1,151,710	\$705,998	\$445,712
FY 17-18	\$824,856	\$505,637	\$319,219
FY 16-17	\$832,642	\$510,410	\$322,232
FY 15-16	\$820,832	\$473,597	\$347,236
FY 14-15	\$913,178	\$543,341	\$369,837
FY 13-14	\$866,153	\$515,216	\$350,937
FY 12-13	\$898,543	\$533,230	\$365,313
FY 11-12	\$1,221,812	\$752,982	\$468,830
FY 10-11	\$1,379,749	\$850,155	\$529,594
FY 09-10	\$1,387,142	\$853,921	\$533,221

2022 HOUSING PROGRAMS AT A GLANCE

63 rental units (46 affordable units and 17 market rate units) supported with Affordable Housing Tax Increment Financing

\$864,764 deposited into the Jill C. Duson Housing Trust Fund from Inclusionary Zoning

\$649,356 Inclusionary Zoning fee-in-lieu payments designated for deposit into the Jill C. Duson Housing Trust Fund

Table 5: Portland Housing Projects Subsidized with HOME Funding (2012 - 2022)

	Project Type	Appropriation Year	Units	Low-/ Moderate-Income Units	HOME Funding
409 Cumberland	New Construction	2013	57	46	\$500,000
Bayside Anchor	New Construction	2013	45	36	\$500,000
Thomas Heights	New Construction	2014	18	18	\$522,448
Rosa True	Rehabilitation	2015	10	10	\$149,500
Motherhouse	Rehabilitation	2017	88	66	\$627,223
58 Boyd Street	New Construction	2018	55	44	\$200,000
Deering Place	Rehab/New Construction	2018	75	45	\$500,000
37 Front Street	New Construction	2018	60	60	\$306,104
63 Front Street	New Construction	2018	45	45	\$204,070
178 Kennebec Street	New Construction	2018	51	40	\$370,000
83 Middle Street	New Construction	2019	45	45	\$193,266
155 Danforth Street	New Construction	2019	30	30	\$299,999
577 Washington Avenue	Rehabilitation	2020	100	100	\$400,000
73 Winter Street	New Construction	2021	43	43	\$400,000
91 Winter Street	New Construction	2021	52	52	\$200,000
Total			774	680	\$5,372,610

Portland has been a participating jurisdiction in the U.S. Department of Housing and Urban Development (HUD) HOME Program since its inception by Congress in 1992. Prior to 2009, Portland received an annual allocation of HUD HOME funds but the communities of Cumberland County did not. The creation of the Portland/Cumberland County HUD HOME Consortium in 2009 brought additional funding for affordable housing activities into the region. HOME funds are awarded annually as formula grants to participating jurisdictions.

HOME has been the largest funding source for the City, helping to develop approximately 1,321 units of housing, 84% as affordable housing, through the allocation of approximately \$10.6 million in funds since 2000. In the last ten years (2012-2022), the City has invested \$5.3 million in HOME funds which leveraged the creation of 782 units of housing, 680 of which were designated for households with low or moderate incomes.

CUMBERLAND COUNTY HOME CONSORTIUM

- 547 housing units proposed, rehabilitated, or created from July 2009 to December 2022
- 521 low and moderate-income units
- \$2,574,887 invested over twelve years

Portland and Cumberland County have formed a HOME Consortium to receive an annual allocation of HOME Investment Partnership funds through the U.S. Departments of Housing and Urban Development (HUD). The HOME funds are used for the creation of affordable housing development throughout Cumberland County, but outside of Portland.

Table 6: Cumberland County HOME Consortium Funding (2009 – 2022)

Owner/Project	Community	Project	Appropriation Date	Low/Mod Units	Total Units	HOME
Oak Leaf 2	Freeport	3 new mobile homes	2011	3	3	\$118,994
Sandy Creek	Bridgton	Rehabilitation	2013	20	20	\$125,000
Steeple Square	Westbrook	Rehabilitation	2014	73	73	\$173,650
Bartlett Woods	Yarmouth	New Construction	2015	28	28	\$122,236
Blackstone Apartments	Falmouth	19 New (39 total)	2016	19	19	\$123,125
Larrabee Commons/ Dr. Berry Apts	Westbrook	New Construction	2017	38	38	\$220,000
Riverview Terr/Larrabee Commons	Westbrook	Rehabilitation	2017	83	83	\$240,000
West End Phase I	South Portland	New Construction	2018	50	64	\$246,046
Larrabee Heights/Harnois Apts	Westbrook	New Construction	2018	61	61	\$100,000
West End Phase II	South Portland	New Construction	2019	40	52	\$423,225
15 Harrison Road	Bridgton	New Construction	2020	48	48	\$150,000
16 Hancock Street	Gray	New Construction	2020	27	27	\$132,611
Village Commons	Scarborough	New Construction	2021	31	31	\$275,378
County Sub Totals				521	547	\$2,450,265

B. LOCAL SOURCES OF REVENUE

JILL C. DUSON HOUSING TRUST FUND

- \$5,348,324 was deposited during 2022
- \$941,886 in expenditures were spent during 2022
- Remaining balance of \$9,314,156 (as of 12/31/22)

The Housing Trust fund was established to promote, retain, and create an adequate supply of housing, particularly affordable housing, for very-low, low, and median-income households. The remaining balance in the Housing Trust Fund includes City Council appropriations of \$5,110,000 in American Rescue Plan Act (ARPA) funding for housing development.

Table 7: Sources of the Jill C. Duson Housing Trust Fund

Year	Source	Type	Amount
2002/03	Maine Medical Center	Housing Replacement	\$315,580
2002	Sportsman's Grill	Housing Replacement	\$40,000
2009	Berlin City Auto	Housing Replacement	\$116,000
2010	Stop 'n' Shop	Housing Replacement	\$289,250
2012	Rockbridge/Eastland Park	Housing Replacement	\$42,500
2012	Riverwalk/Ocean Gateway	Housing Replacement	\$250,000
2012	118 Congress LLC	License	\$3,500
2017	91 & 97 Belfort Street	Sale of Tax-Acquired Property	\$86,424
2017	116 Upper A Street	Sale of Tax-Acquired Property	\$78,527
2017	443 Congress Street	Inclusionary Zoning	\$280,000
2018	62 India Street	Inclusionary Zoning	\$276,500
2018	Short Term Rental fees	Short-Term Rental Fees	\$33,139
2018	0 Thames Street sale	Sale of City-Owned Property	\$1,000,000
2019	20 Thames Street	Inclusionary Zoning	\$270,000
2019	20 Thames Street	License	\$7,500
2019	17 Sumac Street)	Sale of Tax-Acquired Property	\$79,618
2019	Short Term Rental fees	Short-Term Rental Fees	\$176,118
2019	Short Term Rental penalty fees	Penalty Fees	\$15,200
2020	Short Term Rental penalty fees	Penalty Fees	\$7,700
2019	56 Hampshire Street	License	\$12,123
2019	121 Middle Street	Hotel Inclusionary Zoning	\$41,866
2020	99 Capisic Street	Sale of Tax-Acquired Property	\$163,169
2020	Short Term Rental fees	Short-Term Rental Fees	\$122,965
2020	22 Bramhall Street	License	\$3,799
2020	50 Monument Square	Inclusionary Zoning	\$222,789
2020	121 Middle Street	Hotel Inclusionary Zoning	\$30,448
2020	Council Order 89 20/21	Appropriation	\$500,000
2021	56 Hampshire	Inclusionary Zoning	\$198,928
2021	40 Free Street	Inclusionary Zoning	\$10,609

Table 7 (continued): Sources of the Jill C. Duson Housing Trust Fund

Year	Source	Type	Amount
2021	1 Center Street	Hotel Inclusionary Zoning	\$513,810
2021	Short Term Rental fees	Short-Term Rental Fees	\$109,681
2021	Newell Street	Sale of Tax-Acquired Property	\$900
2021	10 Hammond Street	Inclusionary Zoning	\$169,744
2021	22 Hope Avenue	Inclusionary Zoning	\$150,000
2021	American Rescue Plan, Council Order 84 21/22	Appropriation	\$1,000,000
2022	5 India Street	Inclusionary Zoning	\$261,086
2022	18 Luther Street	Loan Repayment	\$36,000
2022	Short Term Rental fees	Short-Term Rental Fees	\$79,460
2022	City Manager Appropriation	Appropriation	\$250,000
2022	American Rescue Plan, Council Order 100 22/23	Appropriation	\$4,110,000
2022	Newell Street	Sale of Tax-Acquired Property	\$8,100
2022	Stroudwater Development	Inclusionary Zoning	\$16,234
2022	75 Chestnut Street	Inclusionary Zoning	\$587,444
	Previous Interest Earned	Interest	\$51,556
Total Deposits			\$12,018,266

Table 8: Uses of the Jill C. Duson Housing Trust Fund

Year	Expenditure	Amount
2011	Avesta Oak Street Lofts	-\$380,585
2014	Housing First Pre-Development Request for Proposal	-\$75,000
2015	65 Hanover & 52 Alder Streets Feasibility Study	-\$9,250
2017	65 Munjoy Street	-\$175,000
2018	60 Parris down payment Assistance	-\$24,000
2018	37 Front Street (not spent yet)	-\$55,500
2019	63 Front Street (not spent yet)	-\$370,000
2019	977 Brighton Avenue	-\$300,000
2020	Affordable Rental Housing Incentive	-\$1,000
2019	83 Middle Street (not spent yet)	-\$136,734
2020	200 Valley Street (not spent yet)	-\$49,154
2021	18 Luther Street	-\$36,000
2021	155 Danforth Street (not spent yet)	-\$150,000
2022	37 Front Street	-\$499,500
2022	200 Valley Street	-\$442,386
Total Expenditures		-\$2,704,109

INCLUSIONARY ZONING FEE IN LIEU

During 2022, the Planning Board approved a \$649,356 fee-in-lieu payment at 54 York Street for the Jill C. Duson Housing Trust fund.

Fee-in-lieu payments are paid and deposited into the Housing Trust Fund when the certificate of occupancy is issued, which typically occurs at the time tenants or homeowners move into the building. Hotel fee-in-lieu payments are also paid and deposited when the certificate of occupancy is issued at the time the hotel is completed.

Table 9: Residential Inclusionary Zoning Projects (2015-2022)

	Status	Units	Type	IZ Units	Location	Fee-in-lieu
169 Newbury St.	Completed	26	Ownership	2	Off-site	\$0
62 India St	Completed	29	Ownership	-	-	\$276,500
443 Congress St.	Completed	28	Rental	-	-	\$280,000
20 Thames St.	Completed	27	Ownership	-	-	\$270,000
1 Joy Place	Completed	12	Ownership	1	On-site	\$0
60 Parris St.	Completed	23	Ownership	2	On-site	\$0
70 Anderson St.	Completed	10	Rental	1	On-site	\$0
132 Marginal Way	Completed	196	Rental	23	On-site	\$0
50 Monument Square	Completed	21	Rental	-	-	\$222,789
605 Stevens Ave. (Building 1)	Completed	21	Ownership	2	Off-site	\$0
383 Commercial St.	Completed	85	Ownership	8	Off-site	\$0
56 Hampshire St.	Completed	29	Ownership	1	Off-site	\$198,928
40 Free St.	Completed	51	Rental	5	On-site	\$10,609
10 Hammond St.	Completed	16	Ownership	-	-	\$169,744
1006 Congress St.	Completed	16	Rental	2	On-site	\$0
5 India St.	Completed	24	Rental	-	-	\$261,086
104 Grant St.	Completed	23	Ownership	3	On-site	\$0
75 Chestnut St.	Completed (in 2023)	54	Ownership	-	-	\$587,444
Winchester Woods	Under Construction	48	Rental	12	On-site	\$0
1700 Westbrook St. (Phase 1)	Under Construction	44	Ownership	4	On-site	\$0
201 Federal St.	Under Construction	266	Rental	27	On-site	\$0
52 Hanover St.	Under Construction	171	Rental	20	On-site	\$0
387 Commercial St.	Under Construction	64	Ownership	-	-	\$707,130
65 McAuley Way (Building 2)	Under Construction	28	Ownership	3	Off-site	\$0
120 State St.	Under Construction	165	Rental	17	On-site	\$0
45 Forest Ave.	Under Construction	81	Rental	21	On-site	\$0
218-220 Washington Ave.	Under Construction	45	Ownership	-	-	\$461,250
22 Hope Ave. Subdivision	Under Construction	16	Ownership	-	-	\$150,000
54 York St.	Under Construction	14	Rental	-	-	\$649,356
1700 Westbrook St. (Phase 2)	Approved (2017)	41	Ownership	4	On-site	\$16,234
1700 Westbrook St. (Phase 3)	Approved (2017)	25	Ownership	3	On-site	\$0
86 Newbury St.	Approved (2018)	10	Rental	1	On-site	\$0
58 Fore St.	Approved (2020)	14	Rental	2	On-site	\$0
126 North St.	Approved (2020)	6	Rental	1	On-site	\$21,757
19 Willis St.	Approved (2021)	12	Rental	-	-	\$132,588
65 McAuley Way (Bldgs. 3-5)	Approved (2022)	112	Ownership	13	Off-site	\$0

HOTEL INCLUSIONARY ZONING

- 477 Congress Street, Planning Board approved pending fee-in-lieu of \$707,916

Table 10: Hotel Inclusionary Zoning Development Projects (2019-2022)

Address	Status	Rooms	Fee-in-lieu
121 Middle Street (3rd floor)	Completed	11	\$41,866
121 Middle Street (2nd floor)	Completed	8	\$30,448
1 Center Street (Canopy by Hilton)	Completed	135	\$513,810
754 Congress Street (Longfellow Hotel)	Building permit 12-6-21	48	\$182,688
477 Congress Street (Time and Temperature)	Approved	186	\$707,916
Total			\$1,476,728

AFFORDABLE HOUSING TAX INCREMENT FINANCING (TIF)

MaineHousing, the state's Housing Authority, created the Affordable Housing Tax Increment Financing (AHTIF) program in 2004 as a tool for jurisdictions to finance affordable housing. Municipalities may designate up to two percent of their land in an AHTIF district. This creates a funding source for housing by allowing municipalities to capture the new property tax revenue generated in the AHTIF district. A portion of that revenue can be used to support affordable housing in the district. Through AHTIF, rental units must be maintained as affordable for 30 years and homeownership units must remain affordable for 10 years.

The approval process to establish an AHTIF district involves four steps. The process begins with the request for funding through submission of a completed Affordable Housing Development and Tax Increment Financing application to the City of Portland. Then the City Council's Housing and Economic Development Committee provides a recommendation to the City Council regarding the establishment of an Affordable Housing TIF district. If the City Council approves the recommendation, the City submits an application to the Maine State Housing Authority. After reviewing the application from the City to ensure compliance with the Affordable Housing Tax Increment Financing Statute, MaineHousing issues a Certificate of Approval.

During 2022, the City Council approved Affordable Housing Tax Increment Funding for the Douglass Commons project (also known as 45 Dougherty), which will create 63 units of rental housing; 46 of which will be reserved for households earning at or below 60% AMI (i.e. \$67,000 for a family of four). The remaining 17 units will be leased at market rate. The AHTIF for 45 Dougherty was approved by the City Council during their October 17, 2022 meeting.

2. SUBSIDIZED HOUSING DEVELOPMENT

The City has leveraged \$17,866,366 in federal and local funding, and invested \$42,302,265 in newly created tax revenue from the increase in the property value of 18 affordable housing development districts to subsidize the creation of 1,760 units of affordable housing since 2000.



45 Dougherty: Maine Workforce Housing

63 new units of affordable and market rate housing

46 units affordable to households earning up to 60% AMI

35 one-bedroom units, 18 two-bedroom units, and 10 three-bedroom units

Rendering: Archetype Architects



83 Middle Street (Phoenix Flats), approved in 2020, is a five-story mixed-use building of 45 affordable apartments consisting of 27 efficiency units and 18 one-bedroom units for age 55+ residents. 27 units will be affordable to households earning up to 50% of the area median income (\$39,100 for one person; \$44,700 for two people), and 18 units will be affordable to households earning up to 60% of the area median income (\$46,900 for one person, \$53,000 for two people). Eleven units will be set-aside for long-term stayers from a local City shelter. This project, on formerly city-owned property, includes a commercial storefront along Middle Street, and a covered parking garage. The City Council approved \$499,066 in HOME funding, \$200,000 in CDBG, \$136,734 in Housing Trust funding, and Affordable Housing Tax Increment Funding for this India Street neighborhood development.

Anticipated opening date June 2023.



155 Danforth Street (Phoenix at Danforth), approved in 2019, is a four-story building with 30 affordable rental units comprised of 15 efficiency units and 15 one-bedroom units within the West End. 23 units will be affordable to households earning up to 50% of the Area Median Income (\$39,100 for one person; \$44,700 for two people), and 7 units will be affordable to households earning up to 60% of the Area Median Income (\$46,900 for one person, \$53,000 for two people). Three units will be set-aside for long-term stayers from a local City shelter.

This new building creates a transitional opportunity for the residents of 66 State Street. 66 State Street (Freedom Place) is a 38-unit lodging house for women experiencing homelessness, addiction, and related challenges, operated by Amistad. The City Council approved an Affordable Housing TIF for 66 State, and approved \$299,999 in HOME funding and \$150,000 in Housing Trust Funding for 155 Danforth Street.



Washington Gardens Apartments is a renovation of 100 affordable apartments within fifteen two-story garden-style residential buildings serving seniors and persons with disabilities. The unit mix includes 60 studios, 36 one-bedroom, and 4 two-bedroom apartments. Ten units are set-aside for long-term stayers from a local City shelter. 60 units will be affordable to households earning up to 50% of the Area Median Income (\$39,100 for one person; \$44,700 for two people), and 40 units will be affordable to households earning up to 60% of the Area Median Income (\$46,900 for one person, \$53,000 for two people).

Built in 1973, the buildings were in fair-to-poor condition with major systems nearing the end of their useful life. The scope of work included: installing new siding and insulated sheathing, replacing windows and exterior doors, selectively replacing plumbing lines, improving building ventilation, creating new accessible units, upgrading sidewalks and accessible ramps, replacing cabinets and countertops, replacing flooring, repainting units, installing new energy-efficient light fixtures and appliances, remediating asbestos, removing chimneys, and installing rooftop solar photovoltaic (PV) panels. Upgrades were made to the Community Center and laundry facility to modernize and made them more accessible.

The City Council approved \$400,000 in HOME, \$184,150 in CDBG and an Affordable Housing TIF to assist with subsidizing this major renovation project in East Deering.



200 Valley Street (Porter Station), approved in 2020, is a five-story, 60 mixed-income housing apartments comprising of 11 studio, 25 one-bedroom, 14 two-bedroom, and 10 three-bedrooms units in the St. John Valley neighborhood. 36 units affordable to households earning up to 50% of the area median income (\$39,100 for one person; \$44,700 for two people), 12 units affordable to households earning up to 60% of the area median income (\$46,900 for one person, \$53,000 for two people), and 12 market rate units. Six units will be set-aside for long-term stayers from a local City shelter. The name Porter Station was chosen in honor of the St. John Valley neighborhood's history, specifically the countless railroad workers who lived in the neighborhood and worked at the former Union Station. The City Council approved \$491,540 in Housing Trust Funding and an Affordable Housing TIF for Porter Station.

Anticipated opening August 2023.



37 Front Street: Building 2, 13 Rental Apartments opened on December 2, 2022

Located in the East Deering neighborhood, Phase 1 of the Front Street Redevelopment project will create 60 apartments (3 studio, 11 one-bedroom, 12 two-bedroom, 22 three-bedroom, 10 four-bedroom, and 2 five-bedrooms) in four buildings. 43 units will be affordable to households earning up to 50% of the area median income (\$39,100 for one person; \$44,700 for two people), 5 units affordable to households earning up to 60% of the area median income (\$46,900 for one person, \$53,000 for two people), and 12 units will be at market rate. Six units will be set-aside for long-term stayers from a local City shelter.

The City Council approved \$306,104 in HOME funding, \$250,000 in CDBG funding, \$555,000 in Housing Trust Funding, and an Affordable Housing TIF for 37 Front Street.

Table 11: Subsidized Housing Development in Portland (2000-2022)

Owner/Project	Date	Units	HOME	HDF	CDBG	HTF	TIF	NSP
Unity Village at Bayside	2000	33	\$86,500	\$0	\$363,863	\$0	\$0	\$0
Island View Apartments	2001	70	\$71,015	\$192,639	\$136,346	\$0	\$0	\$0
St. Dominic's	2002	12	\$0	\$436,500	\$0	\$0	\$0	\$0
Brannigan House	2002	10	\$93,000	\$0	\$0	\$0	\$0	\$0
Wellesley Estates	2002	45	\$0	\$256,000	\$0	\$0	\$0	\$0
Logan Place	2003	30	\$435,000	\$0	\$0	\$0	\$0	\$0
Yale Court	2002	30	\$150,000	\$200,000	\$0	\$0	\$0	\$0
Peninsula Community I	2003	12	\$300,000	\$0	\$0	\$0	\$0	\$0
Peninsula Community II	2004	16	\$307,700	\$0	\$0	\$0	\$0	\$0
IRIS Park Apartments	2004	30	\$0	\$250,000	\$0	\$0	\$0	\$0
Fay Garman House	2004	12	\$150,000	\$0	\$0	\$0	\$0	\$0
Peninsula Community III	2005	10	\$200,000	\$0	\$0	\$0	\$0	\$0
Walker Terrace	2004	40	\$382,000	\$220,000	\$0	\$0	\$0	\$0
Fore River	2006	20	\$388,474	\$0	\$0	\$0	\$0	\$0
Valley Apts.	2006	24	\$320,000	\$0	\$0	\$0	\$0	\$0
Pearl Place I Apartments	2007	60	\$427,000	\$0	\$0	\$0	\$615,502	\$0
Bayside East	2007	20	\$250,000	\$0	\$0	\$0	\$0	\$0
53 Danforth Street	2008	43	\$325,000	\$0	\$0	\$0	\$0	\$0
Florence House	2008	25	\$240,000	\$0	\$0	\$0	\$0	\$0
Oak Street Lofts	2011	37	\$0	\$0	\$0	\$380,585	\$0	\$0
Pearl Place II Apartments	2011	54	\$400,000	\$0	\$0	\$0	\$0	\$0
Elm Terrace	2011	38	\$403,795	\$0	\$0	\$0	\$0	\$0
409 Cumberland	2013	57	\$500,000	\$0	\$0	\$0	\$759,392	\$0
Adams School	2013	16	\$0	\$0	\$0	\$0	\$0	\$1,710,000
Thomas Heights	2014	18	\$522,448	\$0	\$0	\$0	\$207,116	\$0
Bayside Anchor	2015	45	\$500,000	\$0	\$0	\$0	\$0	\$0
17 Carleton Street Apts.	2015	37	\$0	\$0	\$0	\$0	\$726,000	\$0
Rosa True School	2015	10	\$149,500	\$0	\$0	\$0	\$0	\$0
Motherhouse	2017	88	\$627,223	\$0	\$0	\$0	\$0	\$0
65 Munjoy	2017	8	\$0	\$0	\$0	\$175,000	\$0	\$0
58 Boyd Street	2018	55	\$200,000		\$30,000		\$2,144,566	
977 Brighton Avenue	2018	40	\$0	\$0	\$0	\$300,000	\$1,954,486	\$0
Deering Place	2018	75	\$500,000	\$0	\$0	\$0	\$4,185,757	\$0
37 Front Street	2018	60	\$306,104	\$0	\$250,000	\$555,000	\$6,056,916	\$0
63 Front Street	2018	45	\$204,070	\$0	\$0	\$370,000	\$0	\$0
178 Kennebec Street	2018	51	\$370,000	\$0	\$0	\$0	\$2,889,164	\$0
83 Middle Street	2019	45	\$499,066	\$0	\$200,000	\$136,734	\$1,559,287	\$0
66 State Street	2019	38	\$0	\$0	\$0	\$0	\$2,672,169	\$0
155 Danforth Street	2019	30	\$299,999	\$0	\$0	\$150,000		\$0
18 Luther Street	2019	2	\$0	\$0	\$0	\$36,000	\$0	\$0
200 Valley Avenue	2020	60	\$0	\$0	\$0	\$491,540	\$4,092,269	\$0
337 Cumberland Ave.	2020	60	\$0	\$0	\$220,000		\$2,722,057	\$0
577 Washington Ave.	2020	100	\$400,000	\$0	\$184,150	\$0	\$3,809,991	\$0
104 Grant Street	2020	23	\$0	\$0	\$0	\$0	\$2,749,457	\$0
73 Winter	2021	43	\$400,000	\$0	\$0	\$0	\$1,337,426	\$0
91 Winter	2021	52	\$200,000	\$0	\$0	\$0	\$1,473,978	\$0
45 Dougherty	2022	63	\$0	\$0	\$0	\$0	\$2,347,832	\$0
Total		1,792	\$10,607,894	\$1,555,139	\$1,384,359	\$2,594,859	\$42,303,365	\$1,710,000

3. 2022 INCOME AND RENTAL DATA

A. 2022 INCOME LIMITS- PORTLAND HUD METRO AREA

- HUD describes households in the 30% AMI bracket as extremely low-income households
- 80% AMI households are described as low-income households

Table 12: 2022 Income Limits - Portland HUD Metro FMR Area

AMI	Household Size						
	1	2	3	4	5	6	7
30%	\$23,450	\$26,800	\$30,150	\$33,500	\$36,200	\$38,900	\$41,550
50%	\$39,100	\$44,700	\$50,300	\$55,850	\$60,350	\$64,800	\$69,300
60%	\$46,900	\$53,000	\$60,300	\$67,000	\$72,400	\$77,750	\$83,100
80%	\$62,550	\$71,500	\$80,450	\$89,350	\$96,500	\$103,650	\$110,800
100%	\$78,200	\$89,400	\$100,550	\$111,700	\$120,650	\$129,600	\$138,550
110%	\$86,000	\$98,300	\$110,600	\$122,850	\$132,700	\$142,550	\$152,350
120%	\$93,850	\$107,250	\$120,650	\$134,050	\$144,800	\$155,500	\$166,250

The U.S Department of Housing and Urban Development (HUD) computes income limits for Portland based on local Area Median Income (AMI). Portland applies HUD's income limits to determine and monitor household eligibility with the City's Inclusionary Zoning and Low-Income Housing programs.

B. 2022 MAXIMUM MONTHLY RENT LIMITS- PORTLAND HUD METRO AREA

- HUD's measure of housing affordability is spending 30% or less of gross monthly income towards housing expense

Table 13: Maximum Rent Limits

AMI	Bedroom Count					
	1	2	3	4	5	6
30%	\$586.25	\$670.00	\$753.75	\$837.50	\$905.00	\$972.50
50%	\$977.50	\$1,117.50	\$1,257.50	\$1,396.25	\$1,508.75	\$1,620.00
60%	\$1,172.50	\$1,325.00	\$1,507.50	\$1,675.00	\$1,810.00	\$1,943.75
80%	\$1,563.75	\$1,787.50	\$2,011.25	\$2,233.75	\$2,412.50	\$2,591.25
100%	\$1,955.00	\$2,235.00	\$2,513.75	\$2,792.50	\$3,016.25	\$3,240.00
120%	\$2,346.25	\$2,681.25	\$3,016.25	\$3,351.25	\$3,620.00	\$3,887.50

The chart above presents the maximum rent limits (which includes rent plus utilities) broken down by household size and area median income levels.

4. MONITORING

The City of Portland’s Housing and Community Development Division administers, monitors, and supports the creation of affordable housing. Monitoring occurs throughout the development process; however, this section of the report refers specifically to the annual monitoring that takes place after the project is completed. Monitoring requirements vary based on the type of housing (workforce housing versus affordable housing), and the type of funding in the project.

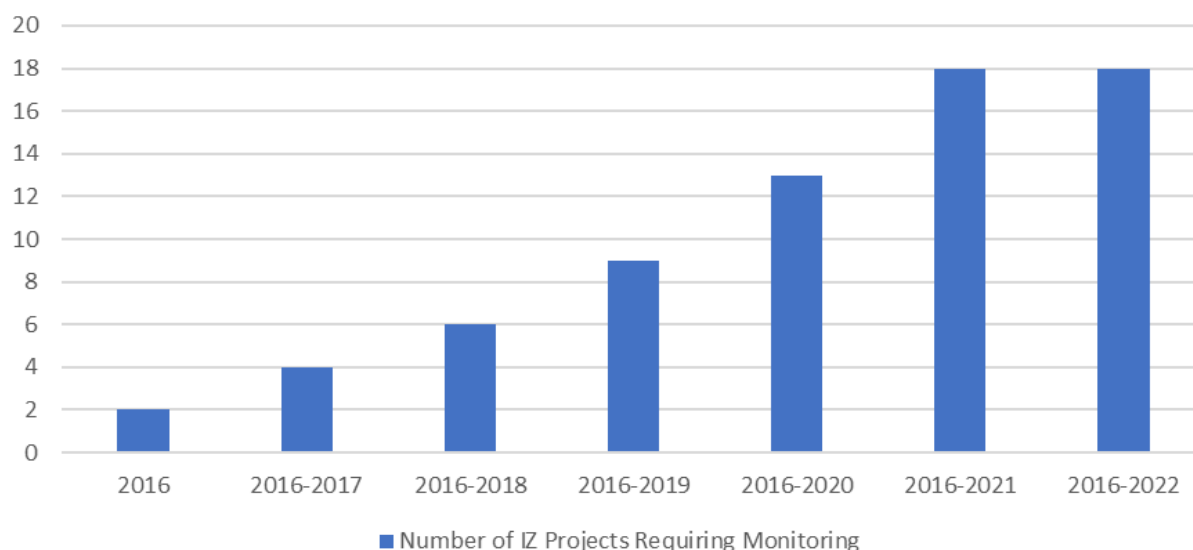
As discussed below, the monitoring of Inclusionary Zoning, HOME, Housing Trust Fund, and Affordable Housing Tax Increment Funding (TIF) units is dramatically increasing.

A. INCLUSIONARY ZONING: WORKFORCE HOUSING

Before a tenant is approved for a workforce rental unit, the household must be “income qualified” to ensure the household’s income is at or below income requirements. The City works with property managers to collect all relevant information needed to assess a household’s income at the time of lease-up and annually thereafter. The City also works with the property manager to ensure the rent is within the maximum rent guidelines based on bedroom count and tenant-paid utilities.

For workforce homeownership projects, staff works with the developer to determine the maximum sale price of each workforce unit. The maximum sale price calculation consists of the mortgage payment, less real estate taxes, less mortgage insurance, less condo fees, less homeowner's insurance, less utilities. During the resale of a unit, staff recalculates the maximum sale price for the seller. And as with rental units, each household is “income qualified” to ensure compliance with income guidelines.

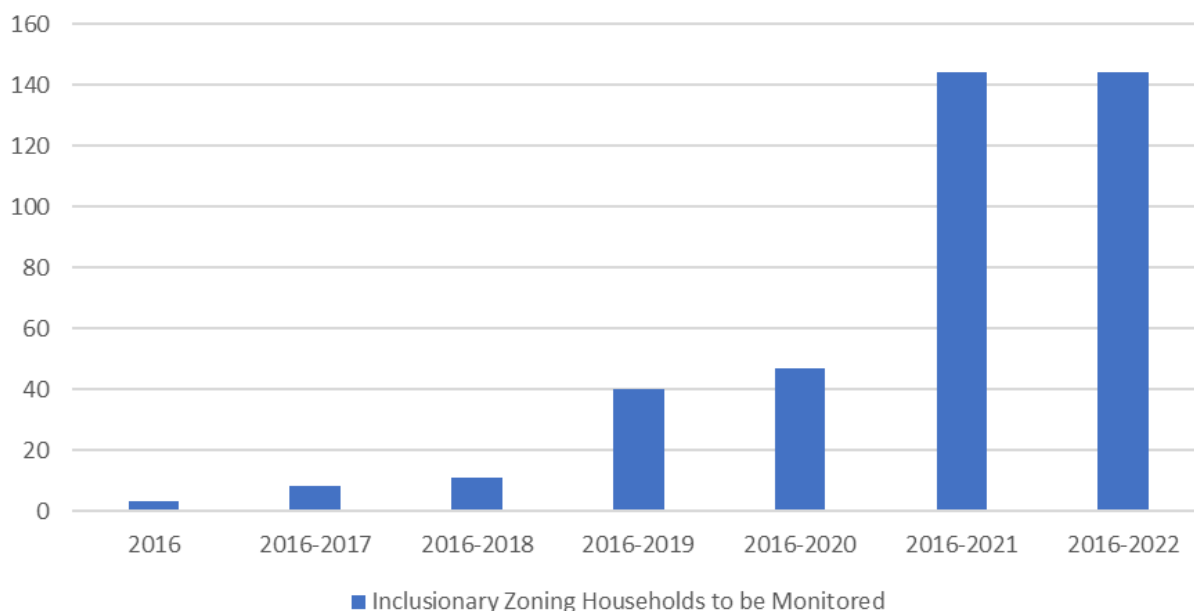
Figure 17: Number of Inclusionary Zoning Housing Development Projects Requiring Monitoring by Year



Based on the above chart, from 2016 to 2021, the number of Inclusionary Zoning housing projects that require monitoring has grown from 2 projects in 2016 to a total of 17 projects by year end 2021 (no projects requiring inclusionary zoning monitoring were approved in 2022). The number of households in those projects that require annual income and rent monitoring has grown from 3 households in 2016 to a total of 144 households.

Prior to adoption of the Citizens Initiative, also known as the Green New Deal, ten percent of the units in a housing development project of ten or more units were required to be set-aside as workforce units to be sold or rented to households that income-qualify. With the adoption of the Green New Deal, twenty-five percent of the units are now set-aside as workforce units, greatly increasing the number of households required to be monitored at lease up/sale and annually/re-sale. The Green New Deal applies to all residential development projects that had not received workshop review by the Planning Board as of December 6, 2020. The total number of households required to be monitored from 2016 to 2020 grew from 5 to 47 over five years. The total number of households monitored for just 2021 is 97 (more than double the number of households from just the year before), for a total of 144 households. The percentage increase from the first five years of monitoring to the sixth year of monitoring is a one year increase of 67%.

Figure 18: Inclusionary Zoning Households to be Monitored

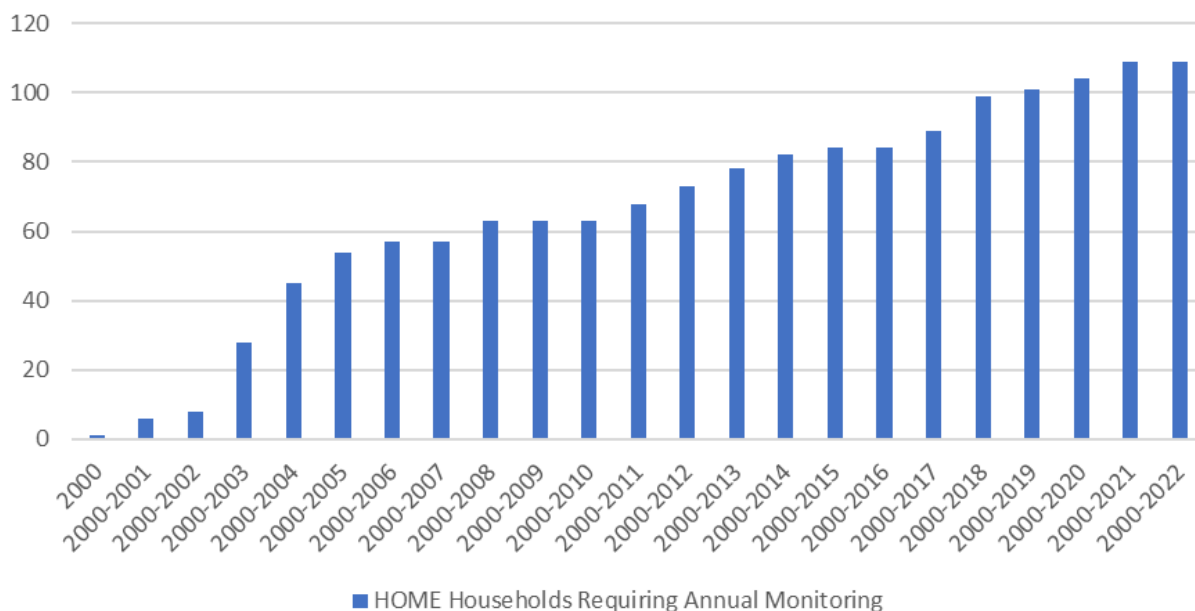


B. HOME

Affordable housing projects that receive HOME funding are required to be monitored by the City to ensure compliance with regulations established by the Department of Housing and Urban Development (HUD). Monitoring includes confirming the number and type of HOME assisted units, confirming units are leased to households at or below the HOME income limits for their household size, ensuring the rents plus tenant-paid utilities do not exceed rent limits, ensuring utilities costs are accurate, and ensuring exceptions are only allowed when households also receive project-based vouchers.

The total number of households requiring annual monitoring has grown from two households in 2000 to 109 households in 2022.

Figure 19: HOME Households Requiring Annual Monitoring



C. HOUSING TRUST FUND AND AFFORDABLE HOUSING TAX INCREMENT FINANCING UNITS

Though not as extensive as the monitoring required for HOME units, affordable housing projects that receive Housing Trust Funds and/or Affordable Housing Tax Increment Financing (TIF) are also required to be monitored by the City to ensure compliance. Compliance for rental units includes ensuring units are leased to households at or below set income limits for their household size, and ensuring the rents plus tenant-paid utilities do not exceed rent limits. For homeownership units, potential homebuyers are required to establish income eligibility.

From 2005 to 2022, four unique residential housing projects were approved for a subsidy from the Housing Trust Fund. For a period of thirty years, a total of 114 households are monitored annually to ensure apartments are occupied by households that earn at or below the agreed-upon area median income (typically 50% or 60% AMI) and the rent is restricted in a similar manner. Similarly, from 2005 to 2022, 18 residential housing projects received Affordable Housing Tax Increment Financing. At least thirty three percent of the households in these projects are also required to be monitored annually to ensure apartments are occupied by households that earn at or below the agreed-upon area median income (typically 50% or 60% AMI) and the rent is similarly restricted.

D. ON-SITE MONITORING

The financial health and physical maintenance of the property are also monitored for projects with ten or more HOME units. Financial reviews require the property manager to provide the most recent operating budget, income statement and balance sheet. Regular on-site inspections of the property are conducted to ensure the property continues to meet the required property maintenance standards.

Figure 20: Housing Inspection Scoring Mythology

HOME Monitoring Rent and Occupancy Report			
Property Name		Reporting Period	<u>1-1-2022 thru 12-31-2022</u>
Property Address		Date	
Manager Name			
Total Units			
HOME Units Required			
Total HOME Units			
Low HOME Units			
High HOME Unit			
Fixed or Floating			

Unit #	No. of Bedrooms	Low or High HOME Rent Unit Designation	Tenant Name	House hold Size	Annual (Gross) Income	Low- or Very Low-Income (L or VL)	Date of Initial Income Examination	Date of Last Income Re-Examination	Unit has a TBV (Y or N)?	Unit has a PBV (Y or N)?	Unit has a Low Income Tax Credit (LIHTC) (Y or N) ?	Low or High HOME Rent	Utility Allowance	Maximum Actual Rent

Finding- Level of Violation:

- C:** A **Critical** Violation of health/safety, and/or building inspection standards has occurred. **Correct within 24 hours.**
- F:** A single item has **Failed** inspection. **A plan for corrective action is due to MaineHousing within 30 days.**
- M:** A **Major** violation of health, safety, and/or building inspection standards has occurred. **Correct within 10 days.**
- P:** In general, a pattern of minor violations exists.
- O:** **Other** findings not represented by "C", "M", or "P" above.
- NF:** Indicate that **No Findings** or Violations were noted

Scoring Ranges:

- Level 5: Superior 100-95
- Level 4: Above Average 94-86
- Level 3: Satisfactory 85-71
- Level 2: Below Average 70-60
- Level 1: Unsatisfactory 59 and below

NOTE: a Below Average score may require a re-inspection and an Unsatisfactory score will require re-inspection, generally within 30 to 60 days.

Scoring Parameters (PPF = Points(s) Per Finding):

- Critical Findings: 1 to 20 Units Inspected: 4 PPF
- Critical Findings: 21 or More Units Inspected: 2 PPF
- Major Findings: 1 to 20 Units Inspected: 2 PPF
- Major Findings: 21 or More Units Inspected: 1 PPF
- Problematic Findings: 3 PPF
- Other Findings: 1 to 5 Units Inspected: 1.5 PPF
- Other Findings: 6 to 210 Units Inspected: 1 PPF
- Other Findings: 11 to 20 Units Inspected: .75 PPF
- Other Findings: 21 to 30 Units Inspected: .5 PPF
- Other Findings: 31 or More Units Inspected: .25 PPF

To: Mayor Snyder and Members of the Portland City Council
From: Kristen Dow, Director of Health & Human Services
Keith Gautreau, Fire Chief
Date: August 11, 2023
Re: Encampment Crisis Response Team Update #2



This memo is intended to provide an update on the purpose and progress of the City's Encampment Crisis Response Team (ECRT), established to coordinate resources among public and private partners to effectively transition as many individuals as possible into shelter or housing prior to the scheduled resolution of an encampment.

The ECRT has continued its housing-focused efforts at the encampment along the Fore River Parkway Trail at Frederic Street. As of August 10, there were a total of 64 tents and approximately 63 individuals at this encampment. This is an overall increase of 18 tents and 13 individuals since our last update (on July 17th). It is important to note that there has also been a citywide increase in the number of tents, up to 237 from 214 during the same time period.

ECRT command staff continue to meet multiple times per week to discuss progress, barriers and ongoing priorities of the group as we work toward the September 6th resolution date. (Updates from the ECRT sub-groups are below.)

After September 6th, the ECRT plans to focus its efforts on the encampment located at the MaineDOT Park & Ride Lot, on Marginal Way. This decision was made based on a number of factors, including the size of that encampment, number of calls for service received, and community impact.

We intend to provide the Council with another ECRT update at the September 6 Council meeting to provide additional information on the resolution of the Fore River Parkway Trail encampment and preparation in advance of our move to the Park & Ride Lot.

1) Mobile Engagement Center

The Mobile Engagement Center continues its work to provide collaborative, organized, housing focused outreach with 23 group members representing four City of Portland departments and 10 different community partners. In July, we had three in person meetings and implemented a daily email driven workflow that notifies outreach members in real time of HSC bed availability. The daily workflow facilitates group collaboration on potential placements, collaboration which is now happening daily. Focused outreach is being supported by the creation of group scheduling for coverage at the Fore River encampment between the hours of 9:30 and 11:00, with any

available beds offered first to the members of that encampment. This has culminated in five successful placements in the HSC from the Fore River encampment.

A program has been finalized including an in person training which will facilitate the inclusion and compensation of participants with lived experience in our group or anywhere in the ECRT going forward. Continued feedback from group members on barriers to accepting shelter have led to the creation of HSC based, in person collaborative outreach with special use of the HSC shuttle to facilitate accepting shelter, a program offering tours of the HSC, and adjustments to accommodate requests most notably a relaxing of the evening curfew by three hours. As we move forward, we will continue work on refining communication and boosting collaboration amongst the varied organizations represented so we can work together to present consistent and effective housing focused outreach efforts.

2) Performance & Data Management

The Data Group met several times early in the launching of the ECRT and quickly morphed into the Case Conferencing group. We are reconvening the original data group with the intent to create a public facing dashboard that allows interested individuals to track various metrics on our web page. The reconvening coincides with several factors including the substantial progress on the creation of the By Name List (BNL) and the Housing Fair recently held at the Fore River site.

3) Case Conferencing

The Case Conferencing group consists of The Opportunity Alliance, Preble Street, Spurwink, Common Space (Amistad), United Way Southern Maine, Maine State Housing Authority, HUD TA and City of Portland (Public Health and Social Services). We hold two standing weekly meetings (Monday and Friday) with providers coming together to discuss housing opportunities and plans. The shared by name list is also a live document that can be updated in real time as progress is made. The goal of this group is to create customized housing plans resulting in successful placements. We have been successful with assisting 8 individuals into the Homeless Services Center, 1 into Elena's Way and 2 others into housing.

4) Basic Needs

The Logistics Section continues to provide daily dumpster service and portable restrooms at the Fore River encampment. The restrooms are pumped 3x weekly, and are cleaned and restocked 2x daily by City staff. The City has installed potable water supply at the encampment through Thirsty Turf. Harm reduction efforts are underway, with a large sharps container on site. Despite the collection efforts, used syringes continue to litter the area. City staff arrange for large-item disposal by a private contractor on an as needed basis. Daily food delivery occurs at the end of Frederic St. Finally, efforts are underway to coordinate with United Way for volunteers to deliver food to the site, to provide relief to outreach workers who need to focus on housing and shelter efforts.

5) Housing Inventory

The Housing Inventory Group has been meeting regularly with a standing weekly meeting. The group consists of individuals from CHOM, Preble Street, United Way of Southern Maine, the City of Portland (Social Services), Portland Housing Authority and HUD TA. We have continued much of the early work; maintaining a spreadsheet that tracks anticipated shelter housing placements. This sheet is shared with staff from each of the local shelters (HSC, Milestone, Elena's Way, Joe Kreisler, Florence House, & Through These Doors) with the ability to update in real time. The Inventory Team organized a Housing Fair on site at the Fore River location on Thursday, August 10th. Partners from Greater Portland Health, Homeless Services Center, Public Health, Preble Street RRH, Spurwink, Mobile Medical Outreach and Portland Housing Authority were in attendance. Staff were able to meet with 11 individuals, of that group 10 were added or fully reinstated to Portland Housing Authority's centralized wait list, 6 applied for Public Housing with PHA, 3 BRAP and 6 SPC applications completed. The plan moving forward is to hold a weekly Fair on site.

City of Portland | Executive Department

Danielle P. West, *City Manager*



To: Mayor Snyder and Members of the Portland City Council

From: Kristen Dow, Director of Health & Human Services

Date: August 14, 2023

Re: Closure of Temporary Emergency Shelter at Expo

On April 12, 2023, in response to an overwhelming number of unsheltered families seeking asylum in Portland, the City of Portland established a temporary emergency shelter at the James A. Banks, Sr. Portland Exposition Building (“the Expo”). Within a week of opening, the Expo had reached its capacity of 300 individuals.

Since its opening, and in recognition of the temporary nature of the emergency shelter, City staff have worked diligently to transition clients to permanent or alternative housing options. Unfortunately, as of August 13, 191 individuals (60 families) remain at the Expo.

To ensure these families remain sheltered while we continue to work with them to find housing, the City will be renting rooms from two hotel properties, effective August 16, 2023.

The cost of these rooms will be paid for out of the City’s General Assistance budget, and City staff will seek reimbursement for 70% of the monthly costs from the State, in accordance with the State’s General Assistance statute.

Staff from the City’s Resettlement Program will be redeployed to provide ongoing support and case management until the families are housed. Additionally, staff are in the process of coordinating food, transportation and connections to local services.

**CITY OF PORTLAND
IN THE CITY COUNCIL**

**RESOLUTION AFFIRMING THE CITY OF PORTLAND’S ONGOING
COMMITMENT TO THE GOALS OF THE PARIS CLIMATE AGREEMENT AND
ENDORSEMENT OF THE FOSSIL FUEL NON-PROLIFERATION TREATY**

WHEREAS, the scientific consensus is clear that human activities are primarily responsible for accelerating global climate change, and that the climate crisis now represents one of the preeminent threats to global civilization; and

WHEREAS, the Intergovernmental Panel on Climate Change (IPCC) reported in 2018 that we must achieve net zero in greenhouse gas emissions (GHGs) by the middle of this century in order to have a reasonable chance of limiting global warming to 1.5 degrees Celsius; and

WHEREAS, the IPCC released its Sixth Assessment Report from Working Group II, which was approved by 195 member states, in February 2022, which notes that there is high confidence that “the rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt”; and

WHEREAS, the United Nations Secretary-General António Guterres has called the Working Group II report “an atlas of human suffering... according to current commitment, global emissions are set to increase almost 14 percent...It will destroy any chance of keeping 1.5 alive...coal and other fossil fuels are choking humanity”; and

WHEREAS, changes to the City of Portland’s climate are already being felt, including such impacts as rising seas, increased numbers of high heat days, increasingly frequent high intensity rain events, and dramatic ocean heatwaves in the Gulf of Maine that threaten natural ecosystems and the maritime economy; and

WHEREAS, our entire community is impacted by the health and safety risks of fossil fuel expansion, particularly those who also face socioeconomic and health inequities, including low-income families, those experiencing homelessness, People of Color and Indigenous people, youth, seniors, those experiencing mental and physical disabilities, and people with health conditions; and

WHEREAS, our youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion as they face major and lifelong health, ecological, social, and economic impacts from prolonged and cumulative effects

of climate change, including food and water shortages, infectious diseases, and natural disasters; and

WHEREAS, the Paris Climate Agreement is silent on coal, oil and gas, an omission with respect to the supply and production of fossil fuels (the largest source of GHGs) that needs to be collectively addressed by other means; and

WHEREAS, global governments and the fossil fuel industry are currently planning to produce more than double the amount of coal, oil and gas by 2030 than can be burned if the world is to limit warming to 1.5°C and avert catastrophic climate disruption, and such plans risk undoing the work of our city to reduce GHG emissions; and

WHEREAS, the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public health and safety at the local and global levels; and

WHEREAS, the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction; and

WHEREAS, our community is committed, as part of our climate emergency response, to a just energy transition and to ambitious investments in the green infrastructure and industries that will create jobs and rapidly decarbonize our economy; and

WHEREAS, the City of Portland recognizes that it is the urgent responsibility and moral obligation of wealthy fossil fuel producers to lead in putting an end to fossil fuel development and to manage the reduction of existing production; and

WHEREAS, a new global initiative calling for a Fossil Fuel Non-Proliferation Treaty would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5°C, and accelerate equitable transition plans;

NOW, THEREFORE, BE IT RESOLVED, the City of Portland formally endorses a Fossil Fuel Non-Proliferation Treaty; and

BE IT FURTHER RESOLVED, the City of Portland urges the United States government to support a Fossil Fuel Non-Proliferation Treaty; and

BE IT FURTHER RESOLVED, that the City of Portland affirms its ongoing commitment to the goals of the Paris Climate Agreement and the GHG reduction targets as called for by the IPCC, and pledges to take action to meet its own proportionate greenhouse gas reductions under the Paris Climate Agreement.

**Public Testimony in Favor of the Resolution in
Support of the Fossil Fuel Non-Proliferation Treaty
Portland City Council August 14, 2023**

Good evening, Madame Mayor, City Council, and staff. My name is Mark Stelmack – I reside at 207 Fore Street in District 1. I am a member of the Portland Climate Action Team.

I urge the Council to adopt the Fossil Fuel Non-Proliferation Treaty which is endorsed by the European Parliament and dozens of cities and regional governments around the world including 25 cities in the US and Canada.

The Treaty is designed to complement the Paris Climate Agreement, which does not specifically mention oil, coal, and natural gas and seeks to stop fossil fuel at their source, to phase out existing fossil fuel reserves in line with the 1.5 degree C goal, and to support an equitable transition to renewable energy.

Adopting the treaty aligns with the City of Portland's existing climate goals including the adoption of One Climate Future resolutions committing the city's municipal operations to run on 100% clean energy by 2040, committing to the goals established by the Paris Climate Agreement, and declaring a climate emergency and prioritizing actions to eliminate the use of fossil fuels by 2030.

In addition, and more importantly, I would like to see the Council act beyond simply adopting the treaty, which is low hanging fruit, and to take on the challenge of developing a strategy to financially fund the aggressive climate goals outlined in the One Climate Future Plan to lower the city's overall carbon footprint.

Potential funding options include:

1. A portion of the savings from the [25 contracted solar projects](#) the city has advanced.
2. Renewable energy certificates (RECs) from the solar projects that are now coming online, and which can be dedicated to the funding.
3. In the future, other carbon impact fees may be directed to the funding effort.

These three funding options can be considered “seed money” to start the implementation of OCF goal activities such as applying for grants or developing conceptual designs.

Ultimately, in the months and years ahead, there would be larger funding resources, either State (through efficiency Maine), Federal (through the Inflation Reduction Act) or through private financing (for example, a power purchase agreement).

The time is now to fund the actions outlined in One Climate Future.

I thank you for your time.



Dena Libner <dlibner@portlandmaine.gov>

Public Testimony in Favor of the Resolution in Support of the Fossil Fuel Non-Proliferation Treaty

1 message

Bill Weber <wjweber77@gmail.com>

Mon, Aug 14, 2023 at 5:42 AM

To: publiccomment@portlandmaine.gov, Kate Snyder <ksnyder@portlandmaine.gov>, rphillips@portlandmaine.gov, Anna Trevorrow <atrevorrow@portlandmaine.gov>, afournier@portlandmaine.gov, Mark Dion <mdion@portlandmaine.gov>, Andrew Zarro <azarro@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Victoria Pelletier <vpelletier@portlandmaine.gov>, Roberto Rodriguez <rrodriguez@portlandmaine.gov>, Troy Moon <thm@portlandmaine.gov>

Public Testimony in Favor of the Resolution in Support of the Fossil Fuel Non-Proliferation Treaty Portland City Council August 14, 2023

Good evening, Madame Mayor, City Council, and staff. My name is Bill Weber, I live in North Deering District 5 and I'm representing the Portland Climate Action Team in my comments tonight. The Portland Climate Action Team (PCAT) is a volunteer group of greater Portland residents committed to addressing the current climate crisis. We advocate for reducing greenhouse gas emissions in Portland and promote the equitable transition from fossil fuels to clean renewable energy. PCAT supports the implementation of the [One Climate Future Plan](#) and the city's other climate goals.

The Fossil Fuel Non-Proliferation Treaty was initially sponsored by the island nations of Vanuatu and Tuvalu, two far off island nations in the south Pacific. But global warming is also having dire consequences much closer to home in our state of Maine and specifically the city of Portland.

Already the Gulf of Maine is heating up [faster than 99%](#) of the world's oceans. Causing a shift of commercial species like Lobster to the north with an invasion of harmful non-native species like green crabs.

Did you know that Maine has the [highest incidence rate](#) for Lyme disease in the country and because of the warmer, shorter winters tick borne illnesses are ever increasing. The number of cases of Lyme disease this year may surpass the record set in 2022 and experts are now saying that tick season is pretty much year round now.

Maine and Portland have already experienced more than eight inches of sea level rise and that will double by the year 2050 causing flooding and damage to critical infrastructure.

When this resolution of support for a Fossil Fuel Non-Proliferation Treaty came up at the Sustainability and Transportation Committee in May PCAT spoke in favor of the resolution. But with an important caveat. The Council and the City Leaders need to do much more than sign on to feel good resolutions. Passing this resolution will not directly reduce one pound of carbon emissions from our city. With that in mind I would like to suggest that a reaffirmation to the climate goals in One Climate Future be added to the resolution which isn't mentioned at all in the resolution. Maybe inserted in the last paragraph.

Thank you for the opportunity to comment.

--

Bill Weber
66 Roaring Brook Road
Portland, ME 04103
(207) 232-9802